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ABSTRACT

A selected summary is provided of: (1) Iowa school laws relating to area schools; and (2) standards for area community colleges and area vocational schools. Part one contains the specific Chapters (280A and 286A, Code of Iowa) which pertain to the area schools. Chapter 280A deals with the organization of the school and county systems; plans for merging areas; the roles of state boards, governing boards, and directors of merged areas; budgeting and financial support; district organization and administration; limitations on land and fund use; elections; faculty development; and the area vocational school attendance center. Chapter 286A covers general aid to schools; area vocational schools, community and junior colleges; resource allocation; and a uniform accounting system. The second section contains standards for area community colleges and area vocational schools as set forth in Chapter 670-5 of the Iowa Administrative Code and guidelines for these standards. Rules are cited for administration; faculty; curriculum and evaluation; library and learning resource center; student services; laboratories, shops, equipment, and supplies; physical plant; building and site approval; approval procedures; progress toward regional accreditation; and standards for area schools. The appendices identify related chapters of the Code of Iowa, the grading symbols used by area schools, and the uniform residency policy of area schools. (MB)

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Selected SCHOOL LAWS and STANDARDS

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SPECIFIC SCHOOL LAWS RELATING TO AREA SCHOOLS

STANDARDS FOR AREA COMMUNITY COLLEGES AND AREA VOCATIONAL SCHOOLS

JC 790 167

PREPARED BY

AREA SCHOOLS DIVISION
DEPARTMENT OF PUBLIC INSTRUCTION
STATE OF IOWA

1978

STATE OF IOWA • DEPARTMENT OF PUBLIC INSTRUCTION
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Iowa
a place to grow

ROBERT D. BENTON, Ed.D., STATE SUPERINTENDENT
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DATE: January 24, 1979

TO: Individuals Receiving Copies of the Publication, Selected School Laws and Standards, (1978)

FROM: Area Schools Division

SUBJECT: Revision of Selected School Laws and Standards, (1978)

The publication, Selected School Laws and Standards, (1978) has been revised to reflect the changes in Chapters 280A and 286A that were approved by the Second Regular Session of the Sixty-Seventh General Assembly. This publication also includes the recommended guidelines to accompany the administrative rules for area schools.

Sincerely,

AREA SCHOOLS DIVISION

SELECTED
SCHOOL LAWS
AND
STANDARDS

A SUMMARY CONTAINING

*SPECIFIC SCHOOL LAWS RELATING TO AREA SCHOOLS.

*STANDARDS FOR AREA COMMUNITY COLLEGES AND AREA VOCATIONAL SCHOOLS.

PREPARED BY

AREA SCHOOLS DIVISION

DEPARTMENT OF PUBLIC INSTRUCTION

STATE OF IOWA

1978

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PREFACE

The purpose of this publication is to provide a selected summary of: (1) school laws relating to area schools; and (2) standards for area community colleges and area vocational schools.

Part I contains the specific Chapters (280A and 286A, Code of Iowa) which pertain to the area schools. This information is taken from School Laws of Iowa 1978, prepared by Mr. Larry Bartlett, Administrative Consultant for Administrative Support Staff, Department of Public Instruction.

Part II contains standards for area community colleges and area vocational schools as set forth in Chapter 670-5 of the Iowa Administrative Code and recommended guidelines for these standards.

Part III, the appendix, identifies related chapters of the Code of Iowa, which are referred to in Chapters 280A and 286A, the grading symbols used by area schools, and the uniform residency policy of area schools.

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CHAPTER 280A

AREA VOCATIONAL SCHOOLS AND COMMUNITY COLLEGES

280A.1 Statement of policy.
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280A.40 Area vocational school attendance center.
280A.41 Appropriation to Area I.

Editor's Note: Following some sections in this chapter are brief notes describing relevant court decisions, Attorney General opinions and D.P.I. decisions. The notes must not be taken as statements of the law. They are to be used only as a reference tool for locating decisions and opinions. Not all decisions and opinions were included under any one section. For full copies of specific decisions and opinions at no cost, contact the Editor's Office in the Department of Public Instruction.

1978

280A.1 Statement of policy. It is hereby declared to be the policy of the state of Iowa and the purpose of this chapter to provide for the establishment of not more than seventeen areas which shall include all of the area of the state and which may operate either area vocational schools or area community colleges offering to the greatest extent possible, educational opportunities and services in each of the following, when applicable, but not necessarily limited to:

1. The first two years of college work including preprofessional education.
2. Vocational and technical training.
3. Programs for in-service training and retraining of workers.
4. Programs for high school completion for students of post-high school age.
5. Programs for all students of high school age who may best serve themselves by enrolling for vocational and technical training while also enrolled in a local high school, public or private.
6. Student personnel services.
7. Community services.
8. Vocational education for persons who have academic, socio-economic, or other handicaps which prevent succeeding in regular vocational education programs.
9. Training, retraining, and all necessary preparation for productive employment of all citizens.
10. Vocational and technical training for persons who are not enrolled in a high school and who have not completed high school.

It is further declared to be the policy of the state that all of the area of the state shall be in a merged area by July 1, 1971. If any area of this state is not within one of the existing merged areas of this state by April 1, 1971, or is not included in a plan pending before the state board of public instruction under the provisions of this chapter on or before that date, the state board of public instruction shall attach all such areas to an existing merged area or shall form such areas into new merged areas. Such attachment or formation shall become effective by resolution of the board, and by filing notice, if applicable, with the secretary of the school board of the merged areas to which such area is to be attached. Any area included in a merged area plan filed with the state board on or before April 1, 1971, and not becoming a part of a merged area because of the subsequent failure of the plan, shall be attached to an existing merged area by the state board of public instruction. The state board shall, where possible, carry out the provisions of this Act by July 1, 1971, but may defer action as may be necessary. The state board in carrying out the provisions of this Act shall investigate the desires of the residents of the area affected, and obtain the advice and recommendation of the advisory committee. All actions made by the state board shall be accomplished by resolution of the board. Such

resolution shall be adopted by roll call vote entered in the minutes of the board and the action of the board shall be final.

At any time before April 1, 1971, any school district not included in a merged area may join any adjacent merged area in the following manner:

The school district board of directors shall publish notice of the proposal to join a specific adjacent merged area, in a newspaper of general circulation within the school district. The notice shall be published at least twice, no oftener than once a week.

The school district shall become part of the adjacent merged area, as proposed in the notice, thirty days after second publication of the notice, unless a petition requesting an election on the proposal and signed by electors equal to ten percent of those voting in the last regular school election in the district is filed with the school board.

If such a petition is filed, the school board shall submit the question of whether the district shall join the adjacent merged area as proposed, or shall join another adjacent merged area, at the next regular school election, or at a special election. If a special election is called, notice shall be published at least three times, no oftener than once a week, in a newspaper of general circulation within the district.

Upon receiving notification from a school board that it is proceeding under the above provisions to join an adjacent merged area, the state board shall stay its attachment proceedings until the procedures are completed. If a majority of those voting favor joining any adjacent merged area, the state board shall proceed to attach the district to that merged area.

SELECTED NOTES: 280A.1

The act governing area vocational schools and community colleges deals with one general subject and does not violate the constitutional requirement that every act embrace but one subject. Stanley v. S.W. Comm. Coll. Merged Area (Merged Area XIV), 1971, 184 N.S. 2d 29.

There are not statutory prohibitions against a community college board de-emphasizing a liberal arts program at its campus by discontinuing the presence of a resident liberal arts faculty and shuttling such instructors to the school from another campus in the area. 1974 O.A.G. 202.

An employee of an area community college, who is otherwise qualified, is not prohibited from serving on the area education agency board. 1974 O.A.G. 727.

Area community schools may use funds for newspaper and radio advertising as a means of informing interested persons as to what is available at such schools. 1968 O.A.G. 935.

280A.2 Definitions. When used in this chapter, unless the context otherwise requires:

1. "Vocational school" means a publicly supported school which offers as its curriculum or part of its curriculum vocational or technical education, training, or retraining available to persons who have completed or left high school and are preparing to enter the labor market; persons who are attending high school who will benefit from such education or training but who do not have the necessary facilities available in the local high schools; Persons who have entered the labor market but are in need of upgrading or learning skills; and persons who due to academic, socio-economic, or other handicaps are prevented from succeeding in regular vocational or technical education programs.

2. "Junior college" means a publicly supported school which offers as its curriculum or part of its curriculum two years of liberal arts, preprofessional, or other instruction partially fulfilling the requirements for a baccalaureate degree but which does not confer any baccalaureate degree.

3. "Community college" means a publicly supported school which offers two years of liberal arts, preprofessional, or other instruction partially fulfilling the requirements for a baccalaureate degree but which does not confer any baccalaureate degree and which offers in whole or in part the curriculum of a vocational school.

4. "Merged area" means an area where two or more county school systems or parts thereof merge resources to establish and operate a vocational school or a community college in the manner provided in this chapter.

5. "Area vocational school" means a vocational school established and operated by a merged area.

6. "Area community college" means a community college established and operated by a merged area.

7. "State board" means the state board of public instruction.

8. "State superintendent" means the state superintendent of public instruction.

9. "Planning board" means any county board of education which is a party to a plan for establishment of an area vocational school or area community college.

10. "Area school" means an area vocational school or area community college established under the provisions of this Act.

280A.3 Combination of school systems. Boards of education of two or more counties are hereby authorized to plan for the merger of county school systems, or parts thereof, for the purpose of providing an area vocational school or area community college. Such plans shall be effectuated only upon approval by the state board and by subsequent concurrent action of the county boards of education at special meetings, called for that purpose, or at the regular July meetings of the county boards. No area which has less than four thousand public and private pupils in grades nine through twelve shall be approved by the state board as a merged area.

280A.4 Division of county systems. Upon recommendation of the county board of education and approval by the state board in an area plan, a county school system may be divided to permit parts of the system to merge with one or more merged areas in establishing an area vocational school or area community college. When division is permitted, the county school system shal be divided along local school district boundaries. No local school district shall be a part of more than one merged area. The county board of education shall be the planning board for any portion of the county school system which is to become a part of a merged area.

280A.5 Submission of plan to state board. Plans formulated for a merged area when submitted to the state board shall include the following:

1. A description of the geographic limits of the proposed area.

2. Total population, population trends, population density, and projected population density, and projected population density of the area.

3. Total school enrollments in grades one through eight within the area.

4. Total school enrollments in grades nine through twelve within the area.

5. Projections of school enrollments within the area.

6. A description of the types of educational offerings and capacities of educational facilities beyond high school existing within the area, or within fifty miles of the center of the area, at the time of submission of plans.

7. Identification of educational programs needed within the area.

8. An evaluation of local interest in and attitude toward establishment of the proposed area vocational school or area community college.

9. An evaluation of the ability of the area to contribute to the financial support of the establishment and operation of the proposed area vocational school or area community college.

10. Estimated number of students within the area who are eligible to attend the proposed area vocational school or area community college.

11. The curriculum intended to be offered in the proposed area vocational school or area community college and assurances that adequate and qualified personnel will be provided to carry on the proposed curriculum and any necessary related services.

12. The location or locations where the proposed area vocational school or area community college is to be constructed or established if such location or locations have been agreed upon. The site or sites of any proposed area vocational school or area community college shall be of sufficient size to provide for adequate future expansion.

13. The boundaries of director districts if such districts have been agreed upon. Director districts shall be of approximately equal population.

14. When it is intended that one or more existing vocational schools, community colleges, or public junior colleges are to become an integrated part of an area vocational school or area community college, specific information regarding arrangements agreed upon for compensating the local school district or districts which operate or operated any existing school or college.

15. Such additional information as the state board may by administrative rule require.

280A.6 Formulating plans--cost. County boards of education may expend public funds for the purpose of formulating plans for a merged area and may arrive at an equitable distribution of cost, subject to approval of the state board, to be paid by each participating board.

280A.7 Investigation of plan. Upon receipt of any plan submitted, the state board shall cause the plan to be examined, conduct further investigation of and hearings on the plan if deemed necessary, and evaluate the plan in relation to all vocational schools, community colleges, and junior colleges existing, proposed, or needed throughout the state. The state board may approve or disapprove the plan or may return the plan to the planning boards for modification and resubmission.

280A.8 Approval of plan. When a plan is approved, the state board shall issue an order of the approval, a copy of which shall be sent to each of the respective planning boards. The order shall:

1. Officially designate and classify the area school to be established as an area to be established as an area vocational school or area community college.

2. Describe all territory included in the county school systems which is to be a part of the approved area.

3. Officially designate the location or locations of the area vocational school or area community college. If the plan did not specify a location, the state board shall so determine.

4. Officially designate the boundaries of director districts. If the plan did not specify such boundaries, the state board shall so determine.

280A.9 Disapproval of plan. When a plan id disapproved, a statement of the reasons for such disapproval shall be forwarded to each of the planning boards. Within fifteen calendar days from the date of receiving such statement, the planning boards or their authorized representative may request a hearing by the state board on the disapproved plan. The state board shall grant the hearing within thirty calendar days after receipt of the request. Upon receiving all evidence and arguments presented by the planning boards or their representative, the state board may reaffirm or reconsider its previous action with respect to the disapproved plan or may request the planning boards to modify and resubmit the plan.

280A.15 Conduct of elections.

1. Regular elections held annually by the merged area for the election of members of the board of directors as required by section 280A.12, for the renewal of the three-fourths mill levy authorized in section 280A.22, or for any other matter authorized by law and designated for election by the board of directors of the merged area, shall be held on the date of the school election as fixed by section 277.1. The election notice shall be made a part of the local school election notice published as provided in section 49.53 in each local school district where voting is to occur in the merged area election, and the election shall be conducted by the county commissioner of elections pursuant to chapters 39 to 53 and pursuant to chapters 39 to 53 and section 277.20.

2. Each candidate for member of the board of directors of a merged area shall be nominated by a petition signed by not less than fifty eligible electors of the director district from which the member is to be elected. The petition shall state the number of the director district from which the candidate seeks election, and the candidate's name and status as an eligible elector of the director district. Signers of the petition, in addition to signing their names, shall show their residence, including street and number if any, the school district in which they reside, and the date they signed the petition. Each nomination paper shall have appended to it an affidavit of an eligible elector other than the candidate in substantially the form provided in section 43.17, except as to party affiliation. The petition shall include the affidavit of the candidate being nominated, stating the candidate's name and residence, and that he or she is a candidate, is eligible for the office sought, and if elected will qualify for the office.

3. Nomination papers in behalf of candidates for member of the board of directors of a merged area shall be filed with the secretary of the board not earlier than sixty-five days nor later than five o'clock p.m. on the fortieth day prior to the election at which members of the board are to be elected. The secretary shall deliver all nomination petitions so filed, together with the text of any public measure being submitted by the board of directors to the electorate, to the county commissioner of elections who is responsible under section 47.2 for conducting elections held for the merged area, not later than five o'clock p.m. on the day following the last day on which nomination petitions can be filed. That commissioner shall certify the names of candidates, and the text and summary of any public measure being submitted to the electorate, to all county commissioners of elections in the merged area by the thirty-fifth day prior to the election.

4. The votes cast in the election shall be canvassed and abstracts of the votes cast shall be certified as required by section 277.20. In each county whose commissioner of elections is responsible under section 47.2 for conducting elections held for a merged area, the county board of supervisors shall convene at ten o'clock a.m. on the last Monday in September, canvass the abstracts of votes cast and declare the results of the voting. The commissioner shall at once issue certificates of election to each person declared elected, and shall certify to the merged area board in substantially the manner prescribed by section 50.27 the result of the voting on any public question submitted to the voters of the merged area. Members elected to the board of directors of a merged area shall qualify by taking the oath of office prescribed in section 277.28.

280A.16 Status of merged area. A merged area formed under the provisions of this chapter shall be a body politic as a school corporation for the purpose of exercising powers granted under this chapter, and as such may sue and be sued, hold property, and exercise all the powers granted by law and such other powers as are incident to public corporations of like character and are not inconsistent with the laws of the state.

SELECTED NOTES: 280A.16

Area school is a body politic and not an agency of the state. Stanley v. S.W. Comm. Coll. Merged Area, 184 N. W. 2d 29 (1971).

A community college merged area is deemed to be a school corporation and can contract corporate indebtedness up to the constitutional limit without reference to any other corporation within its area. Stanley v. S.W. Comm. Coll. Merged Area, 184 N.W. 2d 29 (1971).

"Municipal corporations owe their origin to, and derive their rights and powers wholly from, the legislature." As it creates so may it destory. If is may destory, it may abridge and control . . . we know of no limitations on this right so far as the corporations themselves are concerned. They are, so to phrase it, mere tenants at will of the legislature. City of D.M. v. Tele. Co., 181 Ia. 1282, 162 N.W. 323 (1917).

A merged area having the status of a body politic may enter into an agreement pursuant to authority given under Section 280 A.23(5) which may acquire the status of an interstate compact under Section 28E.9. 1970 O.A.G. 15.

It is mandatory for area school employees to be covered by IPERS because a merged area college is an employer within the meaning of Section 97B.41(3), The Code 1966. 1968 O.A.G. 844.

Legalizing Act of 1967 found in Section 594A.6 is applicable to merged areas established under this Chapter. 1968 O.A.G. 912.

Area vocational schools and community colleges are governed by the provisions in the Local Budget Law.1966 O.A.G. 319.

280A.17. Preparation of budget. The board of directors of each merged area shall prepare an annual budget designating the proposed expenditures for operation of the area vocational school or area community college. The board shall further designate the amounts which are to be raised by local taxation and the amounts which are to be raised by other sources of revenue for such operation. The budget of

SELECTED NOTES: 280A.9

Failure to comply with statutory provision that director districts in community college merged area be of approximately equal population was cured by statute providing that all proceedings prior to certain date purporting to provide for establishment organization and formation of merged school areas were legalized, validated and confirmed. Stanley v. S.W. Comm. Coll. Merged Area, 184 N.W.2d 29, 1971.

The statutory requirement that director districts be of approximately equal population means that very little population variance is allowed between director districts. 1966 O.A.G. 303.

280A.10 Procedure after approval. When a plan proposing formation of a merged area is approved by the state board, each county board of education which is a planning board with respect to the approved plan shall:

1. Within thirty calendar days after approval of the plan by the state board, order published, in all official newspapers of the county, notice of intent to form the proposed merged area. The state board shall prescribe by administrative rule the form and content of such published notices.

2. Within seventy calendar days after approval of the plan by the state board hold a meeting to accept or reject the merger plan. In the event no decision has been made by a county board of education within seventy days, the county board shall be deemed to have approved the merger plan. The secretaries of the respective boards shall immediately notify the state board of the action taken at the meetings.

280A.11 Procedure of state board. Upon receiving notice that all planning boards have given final approval to the proposal to form a merged area, the state board shall:

1. Officially designate all territory included in the plan approved by the county school systems as a merged area.

2. Direct the county commissioner of elections of the county in which the physical plant facilities of the area vocational school or area community college are to be located to call and conduct a special election to choose the members of the initial governing board of the merged area. If physical plant facilities are to be located in more than one county, the county commissioner of elections of the county in which the school or college administrative offices are to be located shall be responsible for calling and conducting the special election.

280A.12 Governing board. The governing board of a merged area shall be a board of directors composed of one member elected from each director district in the area by the electors of the respective district. Members of the board shall be residents of the district from which elected. Successors shall be chosen at the annual school elections for members whose terms expire on the first Monday in October following such elections. Terms of members of the board of directors shall be three years. Vacancies on the board which occur more than ninety days prior to the next regular school election may be filled at the next regular meeting of the board by appointment by the remaining members of the board. A member so chosen shall be a resident of the district in which the vacancy occurred and shall serve until a member shall be elected pursuant to section 69.12 to fill the vacancy for the balance of the unexpired term. A vacancy shall be defined as in section 277.29. No member shall serve on the board of directors who is a member of a board of directors of a local school district or a member of an area education agency board.

Commencing with the regular school election in 1981, the governing board of a merged area shall consist of nine members.

SELECTED NOTES: 280A.12

The appropriation of county health funds for sheltered workshop operated by area comm. coll. does not of itself give rise to claim of conflict of interest on the part of a college teacher who is elected to the board of supervisors. 1972 O.A.G. 129.

280A.13 Directors of merged area. In each merged area, the initial board of directors elected at the special election shall organize within fifteen days following the election and may thereafter proceed with the establishment of the designated area vocational school or area community college. The board of directors shall thereafter organize on the first Monday in October of each year. Organization of the board shall be effected by the election of a president and such other officers from the board membership as board members so determine. The board of directors shall appoint a secretary and a treasurer who shall each give bond as prescribed in section 291.2 and who shall each receive such salary as shall be determined by the board. The secretary and treasurer shall perform such duties as are prescribed in chapter 291 and such additional duties as the board of directors may deem necessary. The frequency of meetings other than organizational meetings shall be as determined by the board of directors but the president or a majority of the members may call a special meeting at any time.

SELECTED NOTES: 280A.13

A teacher or local school superintendent may serve on the governing board of an area vocational school or community college since such offices are not incompatible. 1966 O.A.G. 304.

280A.14 Expenses prorated. All expenses incurred in electing the initial board of a merged area shall be prorated among the several county school systems included in the area, in the proportion that the value of taxable property in each county school system, or any portion thereof which is part of the merged area, bears to the total value of taxable property in the area. The county commissioner of elections responsible for conducting the election shall

each merged area shall be submitted to the state board no later than May 1 preceding the next fiscal year for approval. The state board shall review the proposed budget and shall, prior to June 1, either grant its approval or return the budget without approval with the comments of the state board attached thereto. Any unapproved budget shall be resubmitted to the state board for final approval. Upon approval of the budget by the state board, the board of directors shall certify the amount to the respective county auditors and the boards of supervisors annually shall levy a tax of twenty and one-fourth cents per thousand dollars of assessed value on taxable property in a merged area for the operation of an area vocational school or area community college. Taxes collected pursuant to such levy shall be paid by the respective county treasurers to the treasurer of the merged area in the same manner that other school taxes are paid to local school districts.

It is the policy of this state that the property tax for the operation of area schools shall not, in any event exceed twenty and one-fourth cents per thousand dollars of assessed value, and that the present and future costs of such operation in excess of the funds raised by such levy shall be the responsibility of the state and shall not be paid from property tax.

Tax limitations for the tax year of 1976-1977 not applicable for loan repayment; see 65G.A., Ch.1096, secs. 57, 61.

SELECTED NOTES: 280A.17

Debt service expense is not to be included as part of the cost of operation of merged area schools. Stanley v. S.W. Comm. Coll. Merged Area, 184 N.W.2d 29, (1971).

All area vocational schools and community colleges organized under this chapter are governed by the local Budget Act of 1966. 1968 O.A.G. 32.

State board of public instruction has the authority to disapprove merged area budgets that do not contain the best bona fide enrollment estimates of the boards of directors of merged area school districts. 1968 O.A.G. 601.

First three quarterly payments of state aid to merged area schools is based on prior estimates of enrollment for that year. Final quarterly payment is based on actual enrollment adjusted according to over payments or underpayments. 1968 O.A.G. 604.

Area community school boards of directors must include in their annual budget the estimated proposed expenditure for advertising unless the funds to be used are derived from and expended in accordance with the terms of a donation or gift. 1968 O.A.G. 935.

280A.18 Other funds received. In addition to revenue derived by tax levy, a board of directors of a merged area shall be authorized to receive and expend:

1. Federal funds made available and administered by the state board, for such purposes as may be provided by federal laws, rules and regulations.

2. Other federal funds for such purposes as may be provided by federal law, subject to the approval of the state board.

3. Tuition in accordance with section 280A.23(3).

4. State aid to be paid in accordance with the statutes which provide such aid.

5. State funds for sites and facilities made available and administered by the state board.

6. Donations and gifts which may be accepted by the governing board and expended in accordance with the terms of the gift without compliance with the local budget law.

7. Student fees collected from students for activities, laboratory breakage, instructional materials, and other objects and purposes for which student fees other than tuition are customarily charged by colleges and universities, as provided in a schedule of fees adopted by the area board of directors. The expenditure of funds collected from students for activities shall be determined by the student government unit with administrative and board approval. Any increases in student fees for activities shall be determined by the student government unit with administrative and board approval.

SELECTED NOTES: 280A.18

Area schools are not limited to the schoolhouse fund and the general, but additional funds reflecting the moneys received and expended under the authority of this section may be established. 1968 O.A.G. 462.

Area community school boards of directors must include in their annual budget the estimated proposed expenditure for advertising unless the funds to be used are derived from and expended in accordance with the terms of a donation or gift. 1968 O.A.G. 935.

No students tuition at a merged area school may be subsidized from the rent of part of the school site. 1968 O.A.G. 1018.

280A.19 Acquisition of sites and buildings. Boards of directors of merged areas may acquire sites and erect and equip buildings for use by area vocational schools or area community colleges and may contract indebtedness and issue bonds to raise funds for such purposes.

Referred to in secs. 280A.20, 280A.21

SELECTED NOTES: 280A.19

Area schools have authority to levy a tax for the retirement of bonds in addition to the tax authorized under Section 280A.22. 1970 O.A.G. 380.

280A.20 Payment of bonds. Taxes for the payment of bonds issued under section 280A.19 shall be levied in accordance with chapter 76. The bonds shall be payable from a fund created from the proceeds of such taxes in not more than twenty years and bear interest at a rate not exceeding seven percent per annum, and shall be of such form as the board issuing the bonds shall by resolution provide. Any indebtedness incurred shall not be considered an indebtedness incurred for general and ordinary purposes.

SELECTED NOTES: 280A.20

The law does not prohibit contribution of funds to assist a merged area community college in defraying the expenses of litigation incident to the sale of bonds by the college. 1972 O.A.G. 368.

Area schools have authority to levy a tax for the retirement bonds in addition to the tax authorized under Section 280A.22. 1970 O.A.G. 380.

280A.21 Election to incur indebtedness. No indebtedness shall be incurred under section 280A.19 until authorized by an election. A proposition to incur indebtedness and issue bonds for area vocational school or area community college purposes shall be deemed carried in a merged area if approved by a sixty percent majority of all voters voting on the proposition in the area.

SELECTED NOTES: 280A.21

Area school boards may incur indebtedness and issue bonds if such board action is approved at an election held as provided under this section. 1970 O.A.G. 380.

280A.22 Additional tax. In addition to the tax authorized under section 280A.17, the voters in any merged area may at the annual school election vote a tax not exceeding twenty and one-fourth cents per thousand dollars of assessed value in any one year for a period not to exceed ten years for the purchase of grounds, construction of buildings, payment of debts contracted for the construction of buildings, purchase of buildings and equipment for buildings, and the acquisition of libraries, and for the purpose of maintaining, remodeling, improving, or expanding the area vocational school or area community college of the merged area which tax shall be collected by the county treasurers and remitted to the treasurer of the merged area as other taxes are collected and remitted, and the proceeds of said tax shall be deposited in a separate and distinct fund to be known as the voted tax fund, to be paid out upon warrants drawn by the president and secretary of the board of directors of the merged area district for the payment of costs incurred in providing the school facilities for which the tax was voted.

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In order to make immediately available to the merged area the proceeds of the voted tax hereinbefore authorized to be levied, the board of directors of any such merged area is hereby authorized, without the necessity for any further election, to borrow money and enter into loan agreements in anticipation of the collection of such tax, and such board shall, by resolution, provide for the levy of an annual tax, within the limits of the special voted tax hereinbefore authorized, sufficient to pay the amount of any such loan and the interest thereon to maturity as the same becomes due. A certified copy of this resolution shall be filed with the county auditors of the counties in which such merged area is located, and the filing thereof shall make it a duty of such auditors to enter annually this levy for collection until funds are realized to repay the loan and interest thereon in full. Said loan must mature within the number of years for which the tax has been voted and shall bear interest at a rate or rates not exceeding seven percent per annum. Any loan agreement entered into pursuant to authority herein contained shall be in such form as the board of directors shall by resolution provide and the loan shall be payable as to both principal and interest from the proceeds of the annual levy of the voted tax hereinbefore authorized, or so much thereof as will be sufficient to pay the loan and interest thereon. In furtherance of the foregoing the board of directors of such merged area may, with or without notice, negotiate and enter into a loan agreement or agreements with any bank, investment banker, trust company, insurance company, or group thereof, whereunder the borrowing of the necessary funds may be assured and consummated. The proceeds of such loan shall be deposited in a special fund, to be kept separate and apart from all other funds of the merged area, and shall be paid out upon warrants drawn by the president and secretary of the board of directors to pay the cost of acquiring the school facilities for which the tax was voted.

Nothing herein contained shall be construed to limit the authority of the board of directors to levy the full amount of the voted tax, but if and to whatever extent said tax is levied in any year in excess of the amount of principal and interest falling due in such year under any loan agreement, the first available proceeds thereof, to an amount sufficient to meet maturing installments of principal and interest under the loan agreement, shall be paid into the sinking fund for such loan before any of such taxes are otherwise made available to the merged area for other school purposes, and the amount required to be annually set aside to pay the principal of and interest on the money borrowed under such loan agreement shall constitute a first charge upon all of the proceeds of such annual special voted tax, which tax shall be pledged to pay said loan and the interest thereon.

This law shall be construed as supplemental and in addition to existing statutory authority and as providing an independent method of financing the cost of acquiring school facilities for which a tax has been voted under this section and for the borrowing of money and execution of loan agreements in connection therewith and shall not be construed as subject to the provisions of any other law. The fact that a merged area may have previously borrowed money and entered into loan agreements under authority herein contained shall not prevent such merged area from borrowing additional money and entering into further loan agreements provided that the aggregate of the amount payable under all of such loan agreements does not exceed the proceeds of the voted tax. All acts and proceedings heretofore taken by the board of directors or by any official of any merged area for the exercise of any of the powers granted by this section are hereby legalized and validated in all respects.

Tax limitations not applicable to levies beyond 1975 up to 1 1/8 mills.

SELECTED NOTES: 280A.22

Area schools may borrow money for purpose for which a tax has been voted and may pledge such tax to pay the loan and the interest thereon. 1974 O.A.G. 243.

Area school boards may not exceed the annual levy in their budgets for the purposes specified in this section. 1970 O.A.G. 380.

280A.23 Authority of area directors. The board of directors of each area vocational school or area community college shall:

1. Determine the curriculum to be offered in such school or college subject to approval of the state board. If an existing private educational or vocational institution within the merged area has facilities and curriculum of adequate size and quality which would duplicate the functions of the area school, the board of directors shall discuss with the institution the possibility of entering into contracts to have the existing institution offer facilities and curriculum to students of the merged area. The board of directors shall consider any proposals submitted by the private institution for providing such facilities and curriculum. The board of directors may enter into such contracts. In approving curriculum, the state board shall ascertain that all courses and programs submitted for approval are needed and that the curriculum being offered by an area school does not duplicate programs provided by existing public or private facilities in the area. In determining whether duplication would actually exist, the state board shall consider the needs of the area and consider whether the proposed programs are competitive as to size, quality, tuition, purposes, and area coverage with existing public and private educational or vocational institutions within the merged area.

2. Have authority to determine tuition rates for instruction. Tuition for residents of Iowa shall not exceed the lowest tuition rate per semester, or the equivalent, charged by an institution of higher education under the state board of regents for a full-time resident student. However, if a local school district pays tuition for a resident pupil of high school age, the limitation on tuition for residents of Iowa shall not apply, the amount of tuition shall be determined by the board of directors of the area school with the consent of the local school board, and the pupil shall not be included in the full-time equivalent enrollment of the area school for the purpose of computing general aid to the area school. Tuition for nonresidents of Iowa shall be not less than one hundred fifty percent and not more than two hundred percent of the tuition established for residents of Iowa. Tuition for resident or nonresident students may be set at a higher figure with the approval of the state board. A lower tuition for nonresidents may be permitted under a reciprocal tuition agreement between a merged area and an educational institution in another state, if the agreement is approved by the state board.

3. Have the powers and duties with respect to such schools and colleges, not otherwise provided in this chapter, which are prescribed for boards of directors of local school districts by chapter 279, except that the board of directors is not required to prohibit the use of tobacco and the use or possession of alcoholic liquor or beer by any student under the provisions of section 279.9.

4. Have the power to enter into contracts and take other necessary action to insure a sufficient curriculum and efficient operation and management of the school or college and maintain and protect the physical plant, equipment, and other property of the school or college.

5. Establish policy and make rules, not inconsistent with law and administrative rules, regulations, and policies of the state board, for its own government and that of the administrative, teaching, and other personnel; and the students of the school or college, and aid in the enforcement of such laws, rules, and regulations.

6. Have authority to sell a student-constructed building and the property on which the student-constructed building is located or any article resulting from any vocational program or course offered at an area vocational school or area community college by any procedure which may be adopted by the board. Governmental agencies and governmental subdivisions of the state within the merged areas shall be given preference in the purchase of such articles. All revenue received from the sale of any article shall be credited to the funds of the board of the merged area.

7. With the consent of the inventor, and in the discretion of the board, secure letters patent or copyright on inventions of students, instructors, and officials of any vocational school or community college of the merged area, or take assignment of such letters patent or copyright and make all necessary expenditures in regard thereto. Letters patent or copyright on inventions when so secured shall be the property of the board of the merged area and the royalties and earnings thereon shall be credited to the funds of the board.

8. Set the salary of the area superintendent. In setting the salary, the board shall consider the salaries of administrators of educational institutions in the merged area and the enrollment of the area school.

9. At the request of an employee through contractual agreement the board may arrange for the purchase of group or individual annuity contracts for any of its respective employees from any company the employee may choose that is authorized to do business in this state and through an Iowa-licensed insurance agent that the employee may select, for retirement or other purposes and may make payroll deductions in accordance with such arrangements for the purpose of paying the entire premium due and to become due under such contract. The deductions shall be made in the manner which will qualify the annuity premiums for the benefits afforded under section 403b of the Internal Revenue Code of 1954

and amendments thereto. The employee's rights under such annuity contract shall be nonforfeitable except for the failure to pay premiums. Whenever an existing tax-sheltered annuity contract is to be replaced by a new contract the agent or representative of the company shall submit a letter of intent to the company being replaced, to the insurance commissioner of the state of Iowa, and to his own company at least thirty days prior to any action by registered mail. This letter of intent shall contain the policy number and description of the contract being replaced and a description of the replacement contract.

SELECTED NOTES: 280A.23

1. Generally
2. Staff and employment
3. Contracts and agreements

1. Generally

This section incorporates the provisions of Chapter 279 of the Code in defining the authority of the board of directors of the area schools. Hibbs v. Bd. of Ed., 392 F.Supp 1202 (1975).

Delegation of authority to area boards to legislate on local matters was not an unconstitutional delegation of authority. Stanley v. S.W. Comm. Coll. Merged Area, 184 N.W.2d 29 (1971).

A community college board may de-emphasize a liberal arts program at its campuses by discontinuing the presence of a resident liberal arts faculty and shuttling such instructors to the school from another campus in the area. 1974 O.A.G. 202.

Merged area schools may not use funds derived from leasing a portion of the school sites to establish a scholarship for any student. 1968 O.A.G. 1018.

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The duties of directors of an area vocational school or community college do not conflict with the duties imposed on a local school superintendent or school teachers. 1966 O.A.G. 304.

2. Staff and employment

Where community college teacher was discharged during a staff reduction, there was no proof that his discharge was based on his exercise of First Amendment rights both in and out of the classroom. Hibbs v. Bd. of Ed., 392 F.Supp. 1202 (1975).

Community college employees who are paid with Federal funds of the Area Agency on the Aging are subject to political activity restrictions of the Hatch Act. Dent to Peterson, 1976 O.A.G. 587.

Professional Teaching Practices Commission lacks jurisdiction to act upon complaints against the superintendent of an area school. 1976 O.A.G. 126.

The provisions of Chapter 279 of the Code relating to employment of teachers and superintendents and termination of their contracts applies to merged area community colleges. 1968 O.A.G. 899.

3. Contracts and agreements

Area school and County Fair Association are authorized to enter into a joining agreement whereby the school will transfer ten acres of land for a fairground on which buildings to be used by both parties will be erected by the Fair Association. Use of such buildings for intercollegiate activities is not prohibited by law where operation and maintenance is not paid from Chapter 280A funds. 1976 O.A.G. 107.

An area vocational school may contract with private educational institutions within the merged area for the offering of arts and sciences courses. 1974 O.A.G. 451.

A school district may contract for the area school to provide a vocational education program for the high school students, but the school district would not be entitled to reimbursement for the students tuitioned to the area school. 1972 O.A.G. 692.

Merged area having the status of a body politic may enter into an agreement for an interstate student exchange program pursuant to authority given under this section. 1970 O.A.G. 15.

State board of public instruction must review any agreement for the exchange of students between area schools and the schools of another state. 1970 O.A.G. 15.

280A.24 Area community college. The board of directors of a merged area initially organized for the establishment of, and which is operating, an area vocational school may with the approval of the state board expand the curriculum of the school to qualify as an area community college. The state board shall upon approval officially classify the school as an area community college.

The standard academic workload for an instructor in arts and science courses shall be fifteen credit hours per school term, and the maximum academic workload for any instructor shall be sixteen credit hours per school term, for classes taught during the normal school day. In addition thereto, any faculty member may teach a course or courses at times other than usual day-course hours, or on days other than the regular school week, involving total class instruction time equivalent to not more than a three-credit-hour course. The total workload for such instructors shall not exceed the equivalent of eighteen credit hours per school term.

280A.25 Power of state board. The state board shall:

1. Have authority to designate any vocational school or community college as an "area vocational education school" within the meaning of, and for the purpose of administering, the Act of Congress designated the "Vocational Education Act of 1963". No vocational school or community college shall be so designated by the board for the expenditure of funds under section 35c, subsection "a", paragraph 5, Title 20, U.S.C., which has not been designated and classified as an area vocational school or area community college by the state board.

2. Change boundaries of director districts in any merged area when the commission fails to change boundaries as required by law.

3. Change boundaries of merged areas to take into account mergers of local school districts and changes in boundaries of local school districts, when necessary to maintain the policy of this chapter that no local school district shall be a part of more than one merged area. The state board may also make other changes in boundaries of merged areas with the approval of the board of directors of each merged area affected by the change. At any time when the

boundaries of a merged area are so changed, the state board may authorize the board of directors of the merged area to levy additional taxes upon the property within the merged area, or any part thereof, and distribute the same so that all parts of the merged area are paying their share toward the support of the school or college.

4. Administer, allocate, and disburse any federal or state funds made available to pay any portion of the cost of acquiring sites for and constructing, acquiring, or remodeling facilities for area vocational schools or area community colleges, and establish priorities for the use of such funds.

5. Administer, allocate, and disburse any federal or state funds available to pay any portion of the operating costs of area vocational schools or area community colleges.

6. Approve, in such manner as it may prescribe, sites and buildings to be acquired, erected, or remodeled for use by area vocational schools or area community colleges.

7. Have authority to adopt such administrative rules and regulations as it deems necessary to carry out the provisions of this chapter.

8. Have the power to enter into contracts with local school boards within the area that have and maintain a technical or vocational high school and with private schools or colleges in the co-operative or merged areas to provide courses or programs of study in addition to or as a part of the curriculum made available in the community college or area vocational schools.

9. Make arrangements with boards of merged areas and local school districts to permit students attending high school to participate in vocational-technical programs and obtain credit for such participation for application toward the completion of a high school diploma. The granting of such credit shall be subject to the approval of the state board.

10. Prescribe a uniform system of accounting for area schools.

11. Review programs and make recommendations, and approve or disapprove requests of merged area schools to expand their programs.

SELECTED NOTES: 280A.25

The approval of the state department of public instruction is required before any construction can be begun of college buildings in a community college merged area; however, such approval need not be secured until after the bonds are voted and sold. Stanley v. S.W. Comm. Coll. Merged Area, 184 N.W.2d 29 (1971).

An area vocational school may contract with private or public institutions for the offering of arts and sciences courses. The contracts for obtaining the desired course offerings are not required to be submitted for approval by the state board of public instruction, but the curriculum does have to be submitted to the state board for approval. There is no specific authority whereby an area vocational school may offer college transfer credits towards a baccalaureate degree. An area's present classification as an area vocational school cannot be changed except by the state board of public instruction or by legislation. 1974 O.A.G. 451.

280A.26 Former community or junior colleges. Any local school district which operated a community or junior college for any period between September 1, 1964 and July 4, 1965, may continue to operate such college. Existing public community or junior colleges may be converted into area vocational schools or area community colleges in the manner provided in this chapter. In addition, an existing public community or junior college may be converted into an area vocational school or area community college by agreement between the board of directors of the local school district operating the community or junior college and the board of directors of the merged area. Such agreement shall be effective only if approved by the state board of public instruction. Such agreement shall provide for reasonable compensation to such local school district.

Where the board of any local school district operating a community or junior college and the board of directors of the merged areas are not in agreement on the reasonable value of any public community or junior college which is to be converted, the matters of disagreement shall be decided by three disinterested arbitrators, one selected by the local board, one by the board of the merged area, and one by the two arbitrators so selected. The decision of the arbitrators shall be made in writing and a copy of the decision shall be filed with the secretary of the board of the merged area and the secretary of the local board. Any party to the proceedings may appeal therefrom to the district court by serving notice thereof within twenty days after the decision is filed. Such appeal shall be tried in equity and a decree entered determining the entire matter. The decree so entered shall be final.

280A.27 Area schools branch in department. There shall be an area schools branch within the state department of public instruction. The branch shall exercise the powers and perform the duties conferred by law upon the department with respect to area vocational schools and area and public community and junior colleges.

280A.28 Director districts. The commission established in chapter 280A to redraw boundary lines following each federal decennial census shall establish nine director districts for the area education agency, which are conterminous with the director districts for the board of directors of the merged area board, based upon census information obtained from the census of 1980 for use at the regular director district conventions held in 1981. If an area education agency board had five members in 1980, two additional members of the board shall be elected for two-year terms and two additional members of the board shall be elected for three-year terms. If an area education agency board had seven members in 1980, one addi-

tional member shall be elected for a three-year term. The terms of office of the additional members shall be determined by lot. Changes in the boundary lines of director districts shall not be construed as having the effect of lengthening or diminishing the term of office of any member of the board as a result of the changes in the boundary lines of director districts.

280A.29 Boundaries of director districts. Boundary lines of director districts in the merged areas shall be redrawn after each census to compensate for changes in population if such population changes have taken place. A commission for the purpose of redrawing the boundary lines of the director districts of a merged area, composed of members of the boards of directors of each of the school districts located in the merged area, shall be called by the chairperson of the board of the merged area as soon as possible after census information is available. The chairperson of the board of the merged area shall preside over the commission but shall not have a vote on the commission. In votes of the commission, the vote of the board of the least populous school district in the merged area shall have a weight of one unit and the vote of the boards of each of the other school districts in the merged area shall have a weight which bears the same proportion to one unit as the population of the school district bears to the population of the least populous school district in the merged area.

Where feasible, boundary lines of director districts shall coincide with the boundary lines of school districts and the boundary lines of election precincts established pursuant to sections 49.3 to 49.6.

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Director districts shall be of approximately equal population within each merged area.

280A.30 Redrawing director districts. The commission established in this chapter to redraw boundary lines following each federal decennial census shall establish nine director districts for its merged area based upon census information obtained from the census of 1980 for use at the regular school election in 1981. If a merged area board had five members in 1980, two additional members of the board shall be elected for two-year terms and two additional members of the board shall be elected for three-year terms. If a merged area board had seven members in 1980, one additional member shall be elected for a two-year term and one additional member shall be elected for a three-year term. The terms of office of the additional members shall be determined by lot. Changes in the boundary lines of director districts shall not be construed as having the effect of lengthening or diminishing the term of office of any member of the board as the result of the changes of the boundary lines of director districts.

280A.31 Repealed

280A.32 Repealed

280A.33 Joint action with board of regents.

1. Approval standards, except as hereinafter provided, for area and public community and junior colleges shall be initiated by the area schools branch of the department and submitted to the state board of public instruction and the state board of regents, through the state superintendent of public instruction, for joint consideration and adoption.

2. Approval standards for area vocational schools and for vocational programs and courses offered by area community colleges shall be initiated by the area schools branch and submitted to the state board of public instruction through the state superintendent of public instruction, for consideration and adoption. No such proposed approval standard shall be adopted by the state board until the standard has been submitted to the advisory committee created by chapter 258 and its recommendations thereon obtained.

3. For purposes of this section, "approval standards" shall include standards for administration, qualifications and assignment of personnel, curriculum, facilities and sites, requirements for awarding of diplomas and other evidence of educational achievement, guidance and counseling, instruction, instructional materials, maintenance, and library.

4. Approval standards shall be subject to the provisions of chapter 17A. In addition, approval standards shall be reported by the state board to the general assembly within twenty days after the commencement of a regular legislative session. No area community college or area vocational school shall be removed from the approved list for failure to comply with the approval standards until at least one hundred twenty days have elapsed following the reporting of such standards to the general assembly as provided in this section.

5. The department of public instruction shall supervise and evaluate the educational program in the several area community colleges and area vocational schools of the state for the purpose of the improvement and approval of such institutions.

6. The superintendent of public instruction shall make recommendations and suggestions in writing to each area community college and area vocational school if the department of public instruction determines, after due investigation, that deficiencies exist.

7. The state board shall maintain a list of approved area community colleges and area vocational schools, and it shall remove from the approved list for cause, after due investigation and notice, any area community college or area vocational school which fails to comply with the approval standards. An area community college or area vocational school which is removed from the approved list pursuant to this section shall be ineligible to receive state financial aid during the period of such removal. The state board shall allow a

reasonable period of time, which shall be at least one year, for compliance with approval standards if an area community college or area vocational school is making a good faith effort and substantial progress toward full compliance or if failure to comply is due to factors beyond the control of the board of directors of the merged area operating the institution. In allowing time for compliance, the board shall follow consistent policies, taking into account the circumstances of each case. The reasonable period of time for compliance may be, but need not be, given prior to the one-year notice requirement that is provided in this section.

8. The department of public instruction shall give any area community college or area vocational school which is to be removed from the approved list at least one year's notice. The notice shall be given by registered or certified mail addressed to the superintendent of the area community college or area vocational school and shall specify the reasons for removal. The notice shall also be sent by ordinary mail to each member of the board of directors of the area community college or area vocational school, and to the news media which serve the merged area where the school is located; but any good faith error or failure to comply with this sentence shall not affect the validity of any action by the state board. If, during the year, the area community college or area vocational school remedies the reasons for removal and satisfies the state board that it will thereafter comply with the laws and approval standards the state board shall continue the area community college or area vocational school on the approved list and shall transmit to the area community college or area vocational school notice of the action by registered or certified mail.

9. At any time during the year after notice is given, the board of directors of the area community college or area vocational school may request a public hearing before the state board of public instruction, by mailing a written request to the superintendent of public instruction by registered or certified mail. The president of the state board shall promptly set a time and place for the public hearing, which shall be either in Des Moines or in the affected merged area. At least thirty days' notice of the time and place of the hearing shall be given by registered or certified mail addressed to the superintendent of the area community college or area vocational school. At least ten days before the hearing, notice of the time and place of the hearing and the reasons for removal shall also be published by the state department in a newspaper of general circulation in the merged area where the area community college or area vocational school is located.

10. At the hearing the area community college or area vocational school may be represented by counsel and may present evidence. The state board may provide for the hearing to be recorded or reported. If requested by the area community college or area vocational school at least ten days before the hearing, the state board shall provide for the hearing to be recorded or reported at the expense of the area community college or area vocational school, using any reasonable method specified by the area community college or area vocational school. Within ten days after the hearing, the state board shall render its written decision, signed by a majority of its members, and shall affirm, modify, or vacate the action or proposed action to remove the area community college or area vocational school from the approved list.

280A.34 Certain uses of funds prohibited. Funds obtained pursuant to section 280A.17; subsections 3, 4, and 5 of section 280A.18; section 280A.19; and section 280A.22, shall not be used for the construction or maintenance of athletic buildings or grounds.

SELECTED NOTES: 280A.34

Area boards are prohibited from using certain funds for athletic purposes. 1976 O.A.G. 450.

Area school and County Fair Association are authorized to enter into a joint agreement whereby the school will transfer ten acres of land for fairground on which buildings to be used by both parties will be erected by the Fair Association. Use of such buildings for intercollegiate activities is not prohibited by law where operation and maintenance is not paid from Chapter 280A funds. 1976 O.A.G. 107.

280A.35 Limitation on land. A merged area may not purchase land which will increase the aggregate of land owned by such area, excluding land which has been or may be acquired by donation or gift, or more than three hundred twenty acres. Such limitation shall not apply to merged areas owning more than three hundred twenty acres, excluding land acquired by donation or gift, prior to January 1, 1969.

With the approval of the state board, the board of directors of any merged area at any time may sell any land in excess of one hundred sixty acres owned by the merged area, and no election shall be necessary in connection with such sale notwithstanding any other provisions of law. The proceeds of the sale may be used for any of the purposes stated in section 280A.22. This paragraph is in addition to any authority under other provisions of law.

SELECTED NOTES: 280A.35

Area school and County Fair Association are authorized to enter into a joint agreement whereby the school will transfer ten acres of land for fairground on which buildings to be used by both parties will be erected by the Fair Association. Use of such buildings for intercollegiate activities is not prohibited by law where operation and maintenance is not paid from Chapter 280A funds. 1976 O.A.G. 107.

280A.36 Faculty development. The administration of the college shall encourage the continued development of faculty potential by: (1) Regularly stimulating department chairmen or heads to meet their responsibilities in this regard; (2) lightening the teaching loads of first-year instructors

whose course preparation and in-service training demand it; (3) stimulating curricular evaluation; and (4) encouraging the development of an atmosphere in which the faculty brings a wide range of ideas and experiences to the students, each other, and the community.

This section was enacted by the General Assembly as an amendment to a departmental rule, no. 5.4(8) of the Department of Public Instruction.

280A.37 Membership in association of school boards. Boards of directors of merged area schools may pay, out of funds available to them, reasonable annual dues to an Iowa association of school boards.

Membership in such an Iowa association of school boards shall be limited to those duly elected members of boards of directors of area schools.

280A.38 Lease agreements for space. The board of directors may, with the approval of the state board, enter into lease agreements, with or without purchase options, not to exceed twenty years in duration, for the leasing or rental of buildings for use basically as classrooms, laboratories, shops, libraries and study halls for vocational school or community college purposes, and pay for the same with funds acquired pursuant to section 280A.17, section 280A.18, and section 280A.22.

Such agreements may include the leasing of existing buildings on public or private property, buildings to be constructed upon real estate owned by the area school, or buildings to be placed upon real estate owned by the area school.

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Before entering into a lease agreement with a purchase option for a building to be constructed, or placed, upon real estate owned by the area school, the board shall first adopt plans and specifications for the proposed building which it considers suitable for the intended use, and the board shall also adopt the proposed terms of the lease agreement and purchase option. Upon obtaining the approval of the state board, the board shall invite bids thereon, by advertisement published once each week for two consecutive weeks in the county where the building is to be located. Such lease agreement shall be awarded to the lowest responsible bidder, or the board may reject all bids and readvertise for new bids.

280A.39 Combining merged areas—election. Any merged area may combine with any adjacent area after a favorable vote by the electors of each of the areas involved. If the boards of directors of two or more merged areas agree to a combination, the question shall be submitted to the electors of each area at a special election to be held on the same day in each area. The special election shall not be held within thirty days of any general election. Prior to the special election, the board of each merged area shall notify the county commissioner of elections of the county in which the greatest proportion of the merged area's taxable base is located who shall publish notice of the election according to section 49.53. The two respective county commissioners of elections shall conduct the election pursuant to the provisions of chapter 39 to 53. The votes cast in the election shall be canvassed by the county board of supervisors and the county commissioners of elections who conducted the election shall certify the results to the board of directors of each merged area.

If the vote is favorable in each merged area, the boards of each area shall proceed to transfer the assets, liabilities, and facilities of the areas to the combined merged area, and shall serve as the acting board of the combined merged area until a new board of directors is elected. The acting board shall submit to the state board a plan for redistricting the combined merged area, and upon receiving approval from the state board, shall provide for the election of a director from each new district at the next regular school election. The directors elected from each new district shall determine their terms by lot as provided in section 280A.12. Election of directors for the combined merged area shall follow the procedures established for election of directors of a merged area. A combined merged area shall be subject to all provisions of law and regulations governing merged areas.

280A.40 Area vocational school attendance center. Any merged area shall provide an area vocational school attendance center within a county of the merged area which contains a city of fifty thousand population or more as determined by the 1970 federal decennial census unless an exemption to the requirement is granted by the state board.

Unnumbered paragraph one of this section notwithstanding, Merged Area I shall provide an area vocational school attendance center within Dubuque County.

280A.41 Appropriation to Area I. There is appropriated annually from the general fund of the state to the department of public instruction the sum of five hundred thousand dollars to be used for construction projects at Merged Area I within Dubuque county. This section is repealed effective July 1, 1980.

CHAPTER 286A

GENERAL AID TO SCHOOLS

286A.1 Area vocational schools, community and junior colleges.
286A.2 Repealed.
286A.3 Repealed.
286A.4 Determination.
286A.5 Information furnished by school district.
286A.6 Rules.
286A.7 Repealed.
286A.8 Repealed.
286A.9 Merged area schools general aid.
286A.10 Aid paid quarterly.
286A.11 Plan for allocation of remaining funds.
286A.12 Uniform accounting system.

Editor's Note: Following some sections in this chapter are brief notes describing relevant court decisions, Attorney General opinions and D.P.I. decisions. The notes must not be taken as statements of the law. They are to be used only as a reference tool for locating decisions and opinions. Not all decisions and opinions were included under any one section. For full copies of specific decisions and opinions at no cost, contact the Editor's Office in the Department of Public Instruction.

(Editor's note: Incident to the creation of the new form of school aid under the title, "Tax Equalization", which appears at Chapter 442, the 62nd General Assembly repealed those portions of Chapter 286A relating to school districts in general effective January 1, 1968. However, Chapter 286A also deals with aid to merged areas and to districts operating junior colleges, and its provisions relating thereto, as amended by the 62nd General Assembly, continue in force. The amended sections which apply to merged areas and junior colleges are set forth below. Sections 286A.3 and 286A.6 were neither repealed nor amended by the 62nd General Assembly.)

286A.1 Area vocational schools, community and junior colleges. The several merged areas operating area vocational schools or community colleges and the several school districts operating junior colleges or community colleges in the state of Iowa shall be entitled to receive financial aid from the state in the manner and amount as provided in this chapter. 1978

286A.2 Repealed.

286A.3 Repealed.

286A.4 Determination. The general school aid funds allocated to each district shall be determined as follows: Multiply one dollar and thirty cents by the number of students for which the district pays tuition for such students to attend an area vocational technical high school or program which has been established and approved under the provisions of chapter 258. Multiply this product by the actual number of days that the vocational technical school was officially in session, not to exceed one hundred eighty days. For any district which has an area vocational technical high school or program established and approved under the provisions of chapter 258, multiply one dollar and fifty cents by the number of full-time day students who have graduated from high school or who are beyond twenty-one years of age and are tuition students. Multiply this product by the actual number of days that the school was officially in session, not to exceed one hundred eighty days. A school district, in computing the tuition to charge such a student, shall deduct the amount of general aid received for such student from the regular tuition for such student.

286A.5 Information furnished by school district. At the close of each school year, but not later than July fifth, the local district or merged area school shall supply to the state department of public instruction the information required for calculation of the amount reimbursable to the district for elementary and secondary school. For any day student who has been enrolled on a less than a full school-day basis, the reimbursement shall be calculated proportionately to the portion for which he or she is enrolled as shall be determined by the state department of public instruction. Forms for reporting information to calculate aid for elementary and secondary school puposes shall be supplied by the state department of public instruction to each school district not later than June first. On or before August first, the state department of public instruction shall furnish to the state comptroller estimates of the amount reimbursable for the year to each school district for general aid for elementary and secondary school purposes and upon said estimates the state comptroller shall, on or about August first, make payment of the first half of the annual amount appropriated for such general aid. After all such claims have been calculated for the year and validated for accuracy, the state department of public instruction shall certify the same to the state comptroller prior to February first. On or about February first, the state comptroller shall make payment to the school districts, of the balance of the amount appropriated for such general aid, which, when taken with the first half payment, conforms to the amount of full year reimbursement due each school district as then validated and certified by the state department of public instruction. In the event that the amount

appropriated for reimbursement of the school districts for such purposes is insufficient to pay in full the amounts to each of the school districts or merged areas, then the amount of each payment shall be reduced by the state comptroller in the ratio that the total respective funds appropriated and available for such aid bears to the respective total amounts certified for reimbursement. All funds received or to be received under the provisions of this chapter shall be taken into account and considered by each school district or merged area when estimating the amount required for the general fund.

286A.6 Rules. The superintendent of public instruction, subject to the approval of the state board of public instruction, is hereby authorized to adopt such rules and definitions of terms as are necessary and proper for the administration of this chapter. The necessary expenses incurred by the department of public instruction in the administration of this chapter may be paid from the appropriation therefor. When such conditions as unnatural weather hazards, bad roads, epidemics, and the like, occur to such an extent as to penalize any district, the superintendent of public instruction can adjust the formula by taking the average of several months' attendance in lieu of the months affected by such epidemics or hazards.

286A.7 Repealed.

286A.8 Repealed.

286A.9 Merged area schools general aid. Merged areas operating area schools shall be entitled to general school aid. Each merged area shall be entitled to two dollars and twenty-five cents per day for the full-time equivalent enrollment of students who are residents of the state. The total amount of state aid allocated to each area shall be computed by the following formula:

State aid = Full-time equivalent enrollment X 180 days X $2.25.

The amount appropriated for general state aid for the fiscal year each year, shall first be allocated to each merged area, in accordance with the above formula, on the basis of its reimbursable full-time equivalent enrollment for the previous school year. Any amount remaining shall be allocated to each merged area as provided in sections 286A.11 and 286A.12. Any course or program, the direct operational costs of which are entirely paid by federal, state, or other governmental agencies or private subsidy, or both, shall not be eligible for reimbursement.

For the purpose of this chapter, the following definitions shall apply:

1. "Full-time equivalent enrollment" means the quotient of the total number of reimbursable hours carried by residents of the state attending a single area school, divided by five hundred forty, which represents fifteen reimbursable hours per week for a period of thirty-six weeks.

2. "Reimbursable hour" means any of the following:

a. One contact hour of lecture in an approved course in arts and science or vocational-technical education. A contact hour of lecture is one that requires significant outside preparation.

b. Two contact hours of laboratory in an approved course in arts and science or vocational-technical education.

c. Two contact hours in an approved course of adult education that is eligible for general state aid, except that basic adult education, high school completion, and college credit courses that qualify as lecture courses will be reimbursed on a one contact hour basis. Courses dealing with recreation, hobbies, casual cultural, or self-enjoyment subjects shall not be eligible for reimbursement.

286A.10 Aid paid quarterly. Payment of the aid provided in section 286A.9 shall be made to each merged area at the end of each quarter of the school year, which commences on July first and ends on the following June thirtieth, in the following manner:

1. At the close of each school year but not later than July fifth, the board of directors of each such merged area shall certify to the state department of public instruction the information necessary to compute the aid entitlement, as hereinabove provided, for the school year ending on June thirtieth immediately preceding the said July first. In addition thereto, each said board shall certify to the state department, its best bona fide estimate of what the same data and information will be for the school year that commences upon the said July first, and ends on the following June thirtieth.

2. On the basis of estimates certified, as provided in subsection one hereof, thirty percent of the anticipated aid entitlement for each such merged area shall be paid to the merged area at the end of each of the first three quarters of the school year for which said estimates have been certified. The aid payment for the fourth quarter shall be equal to the difference between the aggregate aid payments for the first three quarters and the total amount of aid entitlement computed on the basis of the actual information required for calculation, as certified in the following July, plus or minus such pro rata amount as may be necessary to make the aggregate total of general school aid paid to all such merged areas for the said year equal to the respective amounts of aid funds appropriated for payment to such areas in the said year.

3. Forms for the purpose of reporting the information and estimates required under subsection one hereof shall be supplied by the state department. After quarterly payments have been calculated they

shall be certified to the state comptroller for payment. Such certification shall be made to the comptroller on or about August 1, November 1, February 1, and May 1 for aid payable for the preceding quarter. The comptroller shall pay the quarterly amounts so certified forthwith.

SELECTED NOTES: 286A.10

State Board of Public Instruction may reject enrollment estimates which are not the "best bona fide estimate" of boards of directors. 1968 O.A.G. 601.

First three quarterly payments of state aid to area schools are made on or about November 1, February 1, and May 1 with the final quarterly payment on or about August 1 of each year, the final payment to be included in the fiscal year ending June 30. 1968 O.A.G. 601.

First three quarterly payments of state aid are based on enrollment estimates; the final quarterly payment is based upon actual enrollment figures at the close of the school year, prorated according to the amount of funds available. 1968 O.A.G. 601.

286A.11 Plan for allocation of remaining funds. The superintendent of public instruction, with the advice and participation of an advisory committee, shall submit a plan to the state comptroller for the allocation of any funds remaining after fulfilling the requirements of section 286A.9.

For the purpose of this section, the "advisory committee" shall consist of one board member from each merged area, to be appointed by each merged area board at its first meeting in July of each year.

286A.12 Uniform accounting system. The superintendent of public instruction shall establish a uniform accounting system for area schools subject to the approval of the auditor of state. The accounting system shall provide for crediting all funds received in the form of federal aid, state aid, tuition, and miscellaneous fees to four separate accounts, as follows:

1. Arts and science education.
2. Vocational-technical education.
3. General adult education.
4. Co-operative programs or services.

All expenditures shall be charged to the appropriate accounts. No funds shall be transferred from one account to another without the approval of the superintendent of public instruction, and notification of all such transfers shall be given to the state comptroller. The accounting system of each area school shall be audited annually by the auditor of state.

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ADMINISTRATIVE RULES FOR AREA VOCATIONAL SCHOOLS AND COMMUNITY COLLEGES

AREA VOCATIONAL SCHOOLS AND COMMUNITY COLLEGES

5.2 Administration
5.3 Faculty
5.4 Curriculum and evaluation
5.5 Library or learning resource center
5.6 Student Services
5.7 Laboratories, shops, equipment and supplies
5.8 Physical plant
5.9 Building and site approval
5.10 Approval procedures
5.11 Progress toward regional accreditation
5.12 Standards for area schools

Pursuant to authority conferred by section 280A.33, Code 1973, and the advice of the state advisory committee on area schools, created by chapter 280A and the state advisory council for vocational education created by chapter 258, to which we hereby certify these rules were submitted their recommendation obtained, and for the purpose of implementing chapter 280A, of the Code, the following approval standards for merged area vocational schools and community colleges are hereby amended by rescinding all of rules 5.2(280A) to 5.28 (280A), 1973 IDR 705 to 713, and adopting in lieu thereof the following:

(Filed March 11, 1974)

The administrative rules for area vocational schools and community colleges are joint rules of the State Board of Public Instruction and the State Board of Regents. The following pages include both these rules and the guidelines that have been developed to accompany the rules.

All administrative rules are printed in medium type letters. The rules have the full force and effect of law. The guidelines that accompany departmental rules are printed in italics and placed on the right side of each page adjacent to the rules they accompany.

Guidelines are not rules and are intended merely to provide additional clarification for certain rules. All guidelines will be reviewed annually and appropriate changes made to insure they are relevant and timely.

5.2 (280A) Administration.

5.2(1) Policy manual. An area school board of directors shall develop and maintain a policy manual which adequately describes the official policies of the institution.

5.2(2) Administrative staff. An area school shall develop an administrative staff appropriate to the size and the purpose of the institution and one which permits the institution to function effectively and efficiently. This administrative staff shall provide effective leadership for the major divisions of the institution including administrative services, adult and continuing education, career education, college parallel education, and student services.

5.2(3) Superintendent. An area school shall have a superintendent who shall be the executive officer of the board of directors. The executive officer shall be responsible for the operation of the area school with respect to its educational program, its faculty and student services programs, and the use of its facilities. He shall delegate to the staff all necessary administrative and supervisory responsibilities to insure an efficient operation of the institution.

5.2(4) Certification. All administrative staff except for the superintendent shall hold such

Guidelines: 5.2(1)

1. *The manual includes policies for identifying and delineating the duties, rights, and responsibilities of the board of directors, administrators, certificated faculty and staff, non-certificated personnel, and students. Additional sections are included relating to the educational program, and instruction, business and operational procedures, community relations, and other pertinent functions of the area school.*
2. *Policies are reviewed periodically to insure their relevance to current practices, and for their compliance with significant court decisions.*
3. *A record of the adoption date, and any revision date, of each policy is maintained.*
4. *Manuals are readily available to all segments of the area school.*
5. *A record of the distribution of policy manuals is maintained to facilitate the updating of manuals.*

Guidelines: 5.2(2)

1. *Staff qualifications for each administrative position are appropriate to the duties of each position.*
2. *Evaluation procedures of administrative practices and effectiveness are operative.*
3. *Personnel recruitment and selection policies, comprehensive orientation programs for new personnel, and in-service training of ongoing staff are appropriate to institutional needs and in compliance with federal and state laws.*
4. *There are realistic budget preparations that consider the total educational program as well as management of financial and business operation, adherance to federal, state, and local regulations and relate the educational product to cost.*

Guidelines: 5.2(4)

1. *Evidence that administrators hold required certificates is filed with the appropriate regulatory agency.*

certificate as required to authorize service in their respective areas of responsibility.

5.2(5) Financial records and reports. The area school shall maintain accurate financial records and make reports in the form prescribed by the state department of public instruction and other state agencies.

5.2(6) Enrollment. An area school shall meet minimum enrollment requirements if it offers instruction as authorized in chapter 280A of the Code, and if, to the satisfaction of the state board of public instruction, it is able to provide classes of reasonable economic size as needed by students, meets the needs of the students, and shows by its past and present enrollment and placement record that it meets individual and employment needs.

5.2(7) Catalog. The catalog shall be the official publication of the area school. It shall include accurate information on institutional policies and other information as recommended by the state department of public instruction.

2. *Certification records are complete, and updated regularly to reflect all professional growth.*

Guidelines: 5.2(5)

1. *Financial records and reporting are in accordance and consistent with the state-approved uniform financial accounting system.*
2. *Financial records are maintained in such a manner as to be easily audited in accordance with accepted accounting procedures.*
3. *Financial records are maintained to provide program costs analyses of both direct and indirect costs.*

Guidelines: 5.2(6)

1. *Where reasonable economic class size cannot be maintained, individualized instruction or other alternative forms of instruction are explored.*
2. *An employment needs survey is used periodically by the institution to determine programs.*
3. *A student interest survey is used periodically by the institution.*
4. *A follow up of program graduates is conducted annually to determine initial placement and continuing success of the graduates.*
5. *The institution remains flexible in order to provide instructional offerings where an adequate number of students are identified throughout the merged area.*
6. *Programs, student cost factors and enrollments are assessed annually.*

Guidelines: 5.2(7)

1. *The catalog is published at least once every two years, with more frequent updating as required to maintain accuracy of information.*
2. *The catalog includes current academic information and regulations, admission requirements, social regulations, expectations of student conduct, services available to students (curricular and extracurricular activities, counseling, financial aid, placement), course descriptions of all courses expected to be offered for credit during the time period in which the catalog is current, tuition and fees, programs of study, and the official calendar of the area school.*

5.2(8) Admission requirements.

a. Postsecondary age students. The area school shall maintain an open door admission policy for students of postsecondary age. This admission policy shall recognize that students should demonstrate a reasonable prospect for success in the program in which admitted. Applicants who cannot demonstrate a reasonable prospect for success in the program for which they apply should be assisted to enroll in courses where deficiencies may be remedied or into other programs appropriate to the individual's preparation and objectives.

b. High school age students. High school age students who can be better served by area school programs may be authorized to undertake such work with the cooperative approval of the area school administration and the administration of the local school district.

5.2(9) School year. The length of the school year of the area school shall provide for the effective use of the physical plant and include a minimum of 48 weeks of operation. The school year may consist of: Two semester terms and one summer term, three trimester terms, or four quarter terms. An area school may use any one or more of the three school years identified above or may offer instruction in units of length keyed to the identified scope and depth of the instructional content.

Guidelines: 5.2(8)a

1. *An accurate evaluation of previous education, training, and experience of an applicant, and effective counseling based on that evaluation, are part of the admissions procedure.*
2. *The area school provides a sufficiently extensive offering of exploratory courses and services to permit students to ascertain their levels of interest and competence.*
3. *The area school provides remedial and developmental experiences to assist students who are not adequately prepared to enter the program of their choice.*

Guidelines: 5.2(8)b

1. *Offerings to high school students are based on surveys of students interests and area needs.*
2. *Accurate evaluation, and effective counseling based on that evaluation, are part of the admissions procedure.*
3. *The area school makes appropriate courses in the college parallel and in the career education divisions available to high school students.*
4. *A close working relationship exists between the area school superintendent and local district superintendents to insure coordinated efforts to improve programs offered to high school students, and to avoid duplication of effort and/or costs for said programs.*

Guidelines: 5.2(9)

1. *The area school calendar identifies days of instruction, staff in-service, and orientation.*
2. *The area school calendar includes provisions for forty-eight weeks of operation.*

5.2(10) Graduation requirements. Graduation from an area school shall be certified by the issuance of appropriate recognition indicating the type of program the student has completed.

a. Associate in arts or an associate in science. The degree issued to a person who has satisfied curricular requirements that consist of content equivalent to a two-year college parallel curriculum shall certify that its recipient is either an associate in arts or an associate in science.

b. Associate in applied arts or an associate in applied science. The degree issued to a person having satisfied curricular requirements and demonstrated competence for employment in the occupational field for which the program was designed shall certify that its recipient is either an associate in applied arts or an associate in applied science. Typically, these degrees apply to occupations requiring significant amounts of applied scientific and mathematical knowledge or occupations in which the individual will work in direct support of a professional.

Guidelines: 5.2(10)a

1. *Minimum requirements for associate in arts.*

Communications	*Humanities*	*Math and/or Science*	*Social Science*
12 qtr. hours *i.e.:* *English Composition* *Speech*	*6 qtr. hours* *i.e.:* *Fine Arts* *Foreign Language* *Literature* *Philosophy* *Dramatic Arts* *Religion* *History*	*9 qtr. hours* *i.e.:* *Science-Natural or Physical* *Math-(Institutional Discretion)*	*9 qtr. hours* *i.e.:* *Anthropology* *Economics* *Geology* *Psychology* *Sociology* *History*

(Institutions offering 4 credit hour courses may meet distribution requirement by requiring one additional course from either the humanities, math and/or science or social science.)

Ninety quarter hours (sixty semester hours) minimum. Minimum overall grade point average of 1.8.

2. *The associate in science degree program requires an appropriate math/science core or the completion of a career option program.*

Guidelines: 5.2(10)b

1. *The associate in applied arts degree is awarded to students completing an approved preparatory career program in applied arts.*

2. *The associate in applied science degree is awarded to students completing an approved preparatory career program preparing individuals for employment in a technical occupation and other appropriate occupations.*

c. Associate in general studies. The degree issued to a person who has satisfied the curricular requirements of a two-year program other than set forth in 5.2(10) shall certify that its recipient is an associate in general studies.

d. Diploma. The recognition granted to a person who has been graduated from a curriculum other than set forth in 5.2(10) but of not less than 12 weeks in length shall be a diploma.

e. Certificate. A certificate of completion may be issued to certify that a student has satisfactorily completed a course of instruction other than the above.

5.2(11) Academic records. The area school shall maintain in perpetuity for each student the complete academic record including every course attempted and grade received. These records should be kept in fire resistance storage, unless other equivalent safeguards are used, such as maintaining a duplicate file (microfilm or otherwise) in a separate building.

5.2(12) Resident policy. There shall be adopted for all area schools a uniform policy for the determination of permanent residence for tuition purposes.

Guidelines: 5.2(10)c

1. *This degree should be a flexible degree for individual students. This degree is not specifically intended for transfer purposes. Four year institutions would, therefore, recognize this as a specialized degree and could review the courses which constituted the degree to determine what would be acceptable for transfer purposes.*

2. *This degree would provide appropriate recognition for students who complete 90 quarter hours (60 semester hours) of study and maintain at least a 1.8 grade point average. This degree program would be designed to meet individual student needs. It would incorporate significant amounts of college parallel courses with courses from career education and other programs.*

Guidelines: 5.2(10)d and e

1. *The institution establishes specific requirements for each degree, diploma and certificate it awards.*

2. *The graduation requirements of the institution are periodically reviewed to support their validity.*

3. *Graduations are held by the institution at appropriate times during the year.*

Guidelines: 5.2(11)

1. *The institution has assigned the responsibility for all student records to a staff position or department.*

2. *There is an official board policy in regard to the accessibility and confidentiality of student records.*

3. *The Iowa area schools grading system has been adopted. (Appendix B).*

4. *There is a system of dispatching official transcripts upon request of the student.*

5. *The record systems of the institution contains those items as recommended by the registrars and admission officers associations.*

See approved residency policy and uniform procedures for implementing residency policy. (Appendix C).

5.3(280A) Faculty.

5.3(1) Certification and subject matter approval.

a. Career education programs. Each instructor of a career education program shall hold a valid certificate issued by the state board of public instruction for teaching in an area school. For approval in a specific subject matter field or area each instructor in a career education program shall meet the experience and education requirements as outlined in state plan for vocational education.

Guidelines: 5.3(1)a

1. *Educational requirements referred to in this section are outlined in the state plan for the administration of vocational education.*
2. *The term valid certificate and regular certificate are used interchangeably.*
3. *The professional educational course requirements, other than the course history/philosophy (foundations) of vocational and/or career education, for career teachers may be satisfied by courses other than those offered under the titles listed in the state plan for the administration of vocational education, (i.e.) instructional resources/media might be included in a broader course offering title.*
4. *The experience requirement for related instructors in career education need not necessarily be in the specific career field in which the instructor is teaching. The appropriateness of the experience should be attested to by the local administrator.*

b. College parallel programs.

(1) Instructor qualifications. Each instructor of a college parallel course shall hold a valid certificate issued by the state board of public instruction for teaching in an area school. For approval in a specific subject matter field or area each instructor shall hold a master's degree in a field of instruction from a regionally accredited graduate school. This preparattion shall include six semester hours of professional preparation appropriate for community college teaching, or adequate experience in college teaching or its equivalent as evaluated by a review committee appointed by the state superintendent of public instruction shall be accepted in lieu of part or all of the required credits in professional education. Approval in a second area of instruction shall be granted to applicants who present twelve semester hours of graduate level preparation in said field from a regionally accredited graduate school.

Guidelines: 5.3(1)b(1)

1. *Although in most circumstances twelve semester hours of graduate level preparation is needed for approval to teach in a second area of instruction, the requirement may be modified somewhat by a strong undergraduate major level preparation in the subject area.*
2. *Part-time instructors are subject to certification requirements.*

(2) Special fields or areas of instruction. Instructors in special fields or areas including but not limited to accounting, business, developmental and remedial

Guidelines: 5.3(1)b (2)

1. *Certification is required.*

skills, engineering, law, law enforcement, and medicine, may be certified on the basis of two or more years of successful experience in the field or area tney will instruct and the possession of the academic preparation ordinarily required for such special fields or areas.

c. Adult basic education and high school completion programs.

(1) Adult basic education and high school equivalency programs. Each instructor in an adult basic education and high school equivalency program shall display to the satisfaction of the area school: Interest, desire and motivation to teach the undereducated adult, evidence of proficiency in the area of instruction, and compliance with all rules established by the state board of public instruction.

(2) High school diploma program. Each instructor of high school completion classes shall be certified and approved to teach the subject in a secondary school.

d. Continuing and general adult education programs. Each instructor in an adult continuing and general education program shall display to the satisfaction of the area school: A genuine interest in teaching, evidence of proficiency in the area of instruction, and compliance with all rules established by the state board of public instruction.

e. Resource staff. These approval standards are not intended to prohibit area schools from employing resource staff in specialized areas on a part-time basis to supplement instruction in specific programs.

2. *Part-time instructors are subject to certification requirements.*

3. *Completion of six semester hours of professional preparation appropriate for community college teaching is required.*

Guideline: 5.3(1)c(1)

1. *No certification or approval required.*

Guideline: 5.3(1)c(2)

1. *In the case of independent study, instructors supervising student progress shall hold a regular certificate endorsed for secondary school teaching.*

Guideline: 5.3(1)d

1. *Instructors of supplementary career education programs should meet the qualifications in their respective areas as stated in the state plan for the administration of vocational education. Instructors of courses which are offered for transfer of credit should meet the certification and approval requirements as provided for section 5.3(1)b.*

Guidelines: 5.3(1)e

1. *No certification or approval required.*

2. *A resource person should not substitute for nor replace an instructor.*

3. *Examples: Real estate broker, insurance agent, banker, retired plumber, attorney, etc.*

f. Support personnel faculty.

(1) Counseling. A counselor shall have a master's degree in counseling or in college student personnel work with an emphasis in counseling from an accredited graduate school. This preparation shall include six semester hours of professional preparation appropriate for community college teaching, or adequate experience in college teaching or its equivalent as evaluated by a review committee appointed by the state superintendent of public instruction shall be accepted in lieu of part or all of the required credits in professional education. Recognition shall be given to the value of employment experience outside of education in appointing counselors to work with students.

Guidelines: 5.3(1)f (1)

1. *Course work in a counseling area related to the community college student or practicum experience counseling taken in the community college setting may be used to satisfy part of the six hours requirement of professional preparation.*
2. *Certification is required.*

(2) Librarian and learning resource faculty. A librarian and learning resource faculty shall hold a master's degree in this area of specialization from an accredited graduate school. An assistant librarian or assistant learning resource specialist shall hold a bachelor's degree in this area of specialization from an accredited institution. This preparation shall include six semester hours of professional preparation appropriate for community college teaching, or adequate experience in college teaching, or its equivalent as evaluated by a review committee appointed by the state superintendent of public instruction shall be accepted in lieu of part or all of the required credits in professional education.

Guidelines: 5.3(1)f (2)

1. *Certification is required.*
2. *Preparation or practicum in college or university librarianship will be considered as satisfying the six hour requirement for professional preparation.*
3. *Course work in the appropriate field as it relates to community college may be used to satisfy part or all of the six hour requirement of professional preparation.*

(3) Auxiliary Personnel. Competent auxiliary personnel with specialized skills, including but not limited to media technicians, may be employed on the basis of demonstrated competence in a specialized skill.

Guidelines: 5.3(1)f (3)

1. *No certification or approval required.*
2. *Examples: Educational aide, business manager, registrar, laboratory assistant, etc.*

5.3(2) Faculty Load.

a. College parallel. The full-time teaching load of an instructor in college parallel programs shall not exceed a maximum of 16 credit hours per school term or the equivalent. An instructor may also have a teaching assignment outside of the normal school hours; provided the instructor consents to this additional assignment and the total workload does not exceed the equivalent of eighteen credit hours per school term.

b. Career education. The full-time teaching load of an instructor in career education programs shall not exceed six hours per day, and an aggregate of 30 hours per week or the equivalent. An instructor may also teach the equivalent of an additional three credit hours provided the instructor consents to this additional assignment. When the teaching assignment includes classroom subjects (non-laboratory), consideration shall be given to establishing the teaching load more in conformity with that of Paragraph a of this subrule.

5.3(3) Faculty organization. The faculty shall be organized in such a way as to promote communication among administration, faculty and students and to encourage faculty participation in the development of the curriculum, instructional procedures, general policies, and such other matters as are appropriate.

5.3(4) Faculty development. Each area school shall develop and implement a plan for the contintinued development of faculty and administrative proficiency consistent with the provisions of section 280A.36 of the Code. For purposes of this standard, administrators shall be regarded as being members of the faculty.

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5.4(280A) Curriculum and Evaluation.

5.4(1) College parallel.

Guideline: 5.3(2)a

1. *Provisions should be made to lighten the teaching load of first-year instructors whose course preparation and in-service training demand it.*

Guidelines: 5.3(2)b

1. *Careful attention should be given to modifying the teaching load of a career education instructor whose teaching assignment includes classroom subjects (non-laboratory.)*
2. *Provisions should be made to lighten the teaching loads of first year instructors whose course preparation and in-service training demand it.*

Guidelines: 5.3(3)

1. *An organized faculty in this sense means an existing structure that promotes communication and encourages participation.*
2. *Recognition should be given to the possible limitation placed on the form of such an organization resulting from other statutory requirements.*
3. *No faculty member can be required to pay dues in order to meet this standard.*

Guideline: 5.3(4)

1. *Cooperative efforts among area schools, such as a state-wide community college association plan or a smaller consortium development project, should be considered in compliance with this standard.*

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a. This program shall offer courses that are the equivalent of the first two years of a baccalaureate program and may also include: such courses as may be necessary to develop skills that are prerequisite to other courses and objectives; and specialized courses required to provide career options within the college parallel program. A follow-up of students termininating shall be conducted to determine how well students have succeeded and which adjustments in the curriculum, if any, need to be made.

b. Courses of a remedial nature or prefreshman level shall not bear college transfer credit and shall be clearly identified in the college catalog and on transcripts.

5.4(2) Career education. Instruction shall be offered in career education programs in no less than five different occupational fields as defined by the state department of public instruction. College parallel courses may be offered as needed in career education programs. The occupational fields in which instruction is offered shall be determined by merged area and geographical area needs as identified by surveys in these areas. Occupational advisory committees shall be used to assist in developing and

Guidelines: 5.4(1)a

1. *A clearly defined process is stated by which the curriculum is established and administered. This process recognizes the various roles of the state board of public instruction, the local board of directors, the administration, the faculty, the students and advisory committees.*

2. *The scope and nature of the curriculum relate to the stated purpose of the institution and are in keeping with the identified needs of the students served and available resources.*

3. *The catalog and other published materials concerning curriculum offerings reflect accurately the resources of the institution. Supplements show course additions, deletions, and other changes.*

4. *A sequence of courses exists with an adequate number of hours required, appropriate system of prerequisites and electives with provisions for advanced credit, and alternate methods of serving the needs of students.*

5. *A constant review exists of the objectives of the curriculum and the methods of instruction that most appropriately meet the needs of the students. Instructors or departments, where appropriate, will maintain annual documentation by the instructor of this review, and changes made will be on file for each course.*

6. *A clearly defined process is stated providing for the follow-up of students terminating. Annual documentation of the results of this follow-up and any resulting adjustments made in the curriculum will be on file.*

Guidelines: 5.4(1)b

1. *The word "courses" should not be construed to exclude other experiences of a remedial nature such as developmental learning centers, individualized instruction, and supplementary tutorial assistance to students while they are enrolled in a regular transfer course.*

Guidelines: 5.4(2)

1. *The occupational fields are identified by taxonomy numbers in verifying the diversity of programs.*

2. *All course offerings and instructional methods within the program are specifically appropriate for the skills and knowledge necessary for the occupation for which the training is designed. Occupational analysis and advisory committees are utilized in determining all program course offerings, course content, utilization of teaching resources, and the methods of instruction.*

maintaining instructional content, including leadership development. A follow-up of students terminating shall be conducted to determine how well students have succeeded and which adjustments in the curriculum, if any, need to be made.

5.4(3) Adult education. Adult education shall be offered and may include adult basic education, adult continuing and general education, college parallel, high school completion, supplementary and preparatory career education programs, and such other programs and experiences as may be required to meet the needs of people in the merged area.

5.4(4) Programs for the handicapped. Surveys shall be conducted in each merged area to determine the educational needs of persons who, due to academic, socio-economic, or other handicaps, are prevented from succeeding in regular educational programs. These surveys would then serve as a basis

3. *Local student interest surveys and employment opportunity data are used in establishment and in periodic evaluation of the continuance of offerings. Existing sources such as the Iowa Department of Job Service, U.S. Department of Labor, Survey of Regional and National Labor Market Needs, and Career Education Needs Information System (CENIS) should be utilized when appropriate.*

4. *Advisory committees representing both employers and employees will function in a meaningful manner on a periodic schedule (a minimum of once a year) to insure critical occupational field evaluation.*

5. *A clearly defined process provides for a follow-up of graduates and of students terminating prior to graduating. Annual documentation of the results and any resulting curriculum adjustments will be on file.*

6. *The catalog and other published materials concerning curriculum offerings reflect accurately the resources of the institution. Supplements show course additions, deletions, and other changes.*

Guidelines: 5.4(3)

1. *A clearly defined process of assessing community needs for specific adult education programs is developed and followed.*

2. *Programs are organized which serve the varied educational needs of adults at times when adults may avail themselves of the program.*

3. *The adult education program is not limited to campus facilities but makes use of cooperating school districts, community public facilities, and business and industrial settings.*

4. *To prevent unnecessary duplication, programs developed for adults are coordinated with other organizations and institutions within the merged area.*

5. *A clearly defined process is developed and utilized to evaluate program effectiveness and to guarantee a well balanced program of social, economic, occupational, educational, and cultural offerings.*

Guidelines: 5.4(4)

1. *The term "handicapped" is used in its broadest meaning to be synonomous with "disadvantaged" to indicate all persons who have limitations that prevent them from succeeding in educational programs for persons without such limitations but who can benefit from such programs with special assistance.*

for appropriate modifications in facilities, materials, and instructional arrangements. The modifications would then make it possible for those whose abilities and interests warrant it to enroll in such programs.

5.4(5) Community Services. The area schools shall provide a program of community services designed to meet the needs of persons residing in the merged area. The purpose of the community service program shall be to foster agricultural, business, cultural, industrial, recreational and social development in the area.

5.4(6) Standards of work and student load.

a. College parallel.

(1) Each course which is offered for college credit and which is intended to be applied toward a baccalaureate degree shall be taught at a standard consistent with the quality and quantity of similar courses offered in regionally accredited institutions of higher learning.

(2) A full-time student in the college parallel divisions shall be defined as one who is taking 12 or more hours of college credit or the equivalent.

2. *Because surveys are procedures for identifying persons in the community who have limitations which prevent them from succeeding in educational programs, this population's needs serve as a basis for specially designed programs, materials, and facilities.*

3. *Special designed and/or modified programs are structured to meet individual needs to make it possible for persons with limitations to adjust and succeed. An example could be that bilingual instructors teach English as a second language as well as adult basic education for those persons who are deficient in their English language skills.*

Guidelines: 5.4(5)

1. *Facilities are available to be used for community service programs by community groups.*

2. *The area school is actively involved in providing a leadership role in solving community problems, helping those involved to become more skilled and resourceful, providing information, and providing educational tools for social change by making people more effective.*

3. *The philosophy and objectives of the community service program reflects a commitment to serving "new constituencies"–senior citizens, women, persons in institutions, handicapped persons, low-income families, ethnic and racial minorities.*

4. *To prevent unnecessary duplication of effort and to provide unified community services, programs are coordinated with other organizations and institutions within the merged area.*

Guidelines: 5.4(6)a (1)

1. *Appropriate personnel maintain close articulation with those senior institutions to which most of the community colleges' graduates will transfer and provide evidence of this effort.*

2. *Evidence is available of attempts to gather appropriate data on the performance of students who transfer to senior institutions.*

b. Career education.

(1) Each course offered in the area of career education shall be taught in the shortest practical period of time at a standard consistent with the quality and quantity of work needed to prepare the student for successful employment in the occupation for which instruction is being offered.

(2) Full-time student in career education shall be defined as one who is taking twelve or more credit hours or the equivalent in career education.

(3) Curricula in full-time career education programs shall ordinarily be offered on the basis of a workload of from twenty to thirty contact hours per week.

c. Adult education. Programs offered in adult education are designed to serve persons of post-high school age who are primarily part-time students. Such programs may include formal or informal learning experiences offered on either a credit or noncredit basis and shall be appropriately designed to meet the needs and interests of adults.

5.5(280A) Library or Learning Resource Center.

5.5(1) Facilities. Area school libraries or learning resource center shall provide the facilities and resources needed to support the total educational program of the institution and should show evidence that the facilities and the resources are being used effectively and efficiently. Adequate consideration shall be given to the seating, comfort and setting of the facility used to house the collection.

Guidelines: 5.4(6)b (1)

1. *Course length for individual students is in relationship to student accomplishment of course objectives.*
2. *Standard of quality and quantity of work is based on occupational analysis and stated objectives as reviewed by the advisory committee.*

Guidelines: 5.4(6)b (2)

1. *Credits in career education are in relationship and consistent with the nature of the course content considering lecture, lab, and shop activities.*
2. *Institutional policy has been established and is available for determining course credits.*

Guidelines: 5.4(5)b (3)

1. *Program contact hours are consistent with the career education content of the courses.*
2. *The average load throughout the length of the program is used in determining compliance with this standard.*

Guidelines: 5.5(280A)

1. *Relevant state and national standards are recognized and used for guidance.*

Guidelines: 5.5(1)

1. *The institution plans the location, size and layout of the library or L.R.C. to maximize its efficient and effective use. Special attention is given to capacity, relationship to other college facilities, internal arrangement of service and work areas, relationship between areas, function of area, traffic flow, accessibility, and shipping and receiving. The location of the circulation desk and exit checks gives adequate facility control.*

2. *Books, periodicals, references, equipment, etc. are stored in an efficient and appropriate manner. Shelving and other storage for the facility resources are adequate for present needs, with due consideration given for future growth.*

3. *Adequate and appropriate seating is available throughout the facility to meet the needs of the patrons. A variety of user stations is provided, such as carrels, tables and lounge seating.*

4. *Small conference rooms are incorporated into the design of library facilities. These rooms are available to all college students and staff.*

5. *Work areas are adequate in size and properly equipped so that the staff can function in an efficient and effective manner.*

6. *Provisions are made for the use and production of nonprint media to meet the current and planned needs of the institution.*

7. *Lighting will meet established standards. Climate control will be adequate for year around usage of the facility. Accoustical treatment is appropriate for use.*

8. *Provisions are made for use of the facilities by the handicapped.*

9. *Library or L.R.C. staff are involved in the planning for new or remodeled facilities.*

5.5(2) Staffing. The library or learning resource center shall be adequately staffed with qualified and certified professionals and skilled nonprofessional personnel.

Guidelines: 5.5(2)

1. *The L.R.C. staff is available in sufficient numbers to carry out the purposes and objectives of the L.R.C. adequately.*

2. *The professional and support staff of the L.R.C. has a sufficient variety and balance of educational backgrounds and skills.*

3. *Library or L.R.C. professional and support staff members have status equal to that of other professional and support staff members with similar training and responsibility.*

4. *Responsibilities, lines of authority, channels of communication and assignments are clearly defined.*

5. *In-service development opportunities are made available to both professionals and support staff.*

5.5(3) Collection. The collection of an area school shall be adequate in size and scope to serve effectively the number and variety of programs offered and the number of students enrolled. The collection shall show evidence of having been selected by faculty as well as professional library or learning resource staff and shall be kept up-to-date through a planned program of acquisition and deletion. The collection shall contain an appropraite range and number of print and nonprint materials, effectively organized and quartered in a manner which maximizes use.

Guidelines: 5.5(3)

1. *The collection includes books and other print and nonprint materials and the appropriate equipment for access and utilization of the materials.*
2. *The collection reflects the quality, quantity and variety of materials needed to support the educational programs of the college.*
3. *Materials are sufficient for both general reference and specific area curriculum needs.*
4. *The collection is accessible, all materials are cataloged or indexed according to nationally accepted patterns and the library hours reflect the needs of the curriculum and the student body.*
5. *A selection policy based on institutional, instructional and L.R.C. objectives guides selection. This policy includes provision for faculty involvement in selection.*
6. *Final selection regarding the acquisition of recommended materials rests with the director of the L.R.C. Provision for review of challenged material is included in selection policy.*
7. *A policy for the acceptance of gifts is defined.*
8. *Provision is made for a continuous up-grading of the collection. This includes a planned program of acquisition and deletion.*
9. *Production of nonprint materials and related services fit the program requirements of the institution.*
10. *Appropriate types and adequate numbers of media equipment are available.*
11. *There is a program of inter-library cooperation.*
12. *A policy has been adopted regarding general public use of the collection.*
13. *There are guidelines for exchange of materials and production services with other educational agencies.*
14. *Orientation services for use of the L.R.C. are provided.*
15. *A plan for the dissemination of information regarding the L.R.C. is provided.*
16. *Appropriate statistics and other records are maintained.*

5.5(4) Expenditures. The budget of the library or learning resource center shall be appropriate for the programs and services offered by the institution. New programs and new curricula shall be reflected in library or learning resource center expenditures.

Guidelines: 5.5(4)

1. *The budget is adequate to support the total learning resources program.*

2. *The L.R.C. director prepares the budget and its implementation is based on institutional, instructional and L.R.C. goals.*

5.6(280A) Student Services.

5.6(1) A program of student services should be provided to meet the needs of students in the area school. The program of student services shall include the following seven functional areas:

a. Orientation to college and career opportunities and requirements.

Guidelines: 5.6(1)a

The institution shall give evidence of the following:

1. *That personnel make routine visits to all high schools in the institution's service area, at least annually, for the purpose of establishing ongoing relationships. As a result, local school personnel should be informed of educational opportunities at the institution.*

2. *That informative or factual brochures or other appropriate printed materials on career opportunities and requirements are provided for prospective students and other interested persons.*

3. *That adequate provision is made for students to become acquainted with the institution's policies and practices relating to student life. These policies and practices include, but are not limited to, academic and social regulations, graduation requirements, provisions for changing enrollment status, availability of housing, and social activities. Students are provided with such information prior to enrollment or within the first term of enrollment.*

b. Appraisal of individual potential.

Guidelines: 5.6(1)b

The institution shall give evidence of the following:

1. *That testing services or alternative procedures are provided whereby students will have an opportunity to evaluate their potential for success in educational or occupational endeavors. Professionally prepared counselors shall assist students in interpreting that test data. (Cross reference to Section 5.3.)*

2. *That the institution maintains accurate and functional records reflecting student background, achievements and potential. Data contained therein is utilized in a professional and discreet manner and subject to review by the individual at his or her request; and in keeping with current federal and state statutes regarding rights of privacy.*

3. *That criteria used for admission of students is in compliance with existing human and civil rights laws. Criteria used for admission must have demonstrated effectiveness for predicting the success of students in the program.*

c. Consultation with students about their plans, progress and problems.

Guidelines: 5.6(1)c

The institution shall give evidence of the following:

1. *That counseling personnel are available to assist all individuals in academic and career planning, and in making educational, personal, and social adjustments. Counseling personnel are expected to be available by assignment to each of the instructional divisions.*

2. *That the relative roles of counselors and faculty advisors are clearly delineated. If a faculty advising system is utilized by the institution, there is in-service education for the advisors.*

3. *That one member of the counseling staff is responsible for organizing and coordinating the program of counseling services. This individual shall be given adequate time commensurate with these responsibilities.*

4. *That student records are available to counseling staff to facilitate individualized assistance to students.*

5. *That where there are substantial numbers of students with unique needs, staffing or personnel reflects this awareness.*

6. *That provisions are made for students to receive consultation pertaining to health concerns.*

d. Participation of students in activities that supplement classroom experiences.

Guidelines: 5.6(1)d

The institution shall give evidence of the following:

1. *That students are provided with the opportunity to participate in special interest clubs and organizations, including those related to curricular areas.*

2. *That a variety of recreational, cultural, and social activities are provided to meet the needs of the student body.*

3. *That students have the opportunity to participate in intercollegiate activities, which may include music events, speech and debating activities, vocational competency contests, athletics, and other areas of student life.*

4. *That at least one professional staff member is designated with responsibility to provide leadership and assistance to students in the development of the activities program.*

5. *That a student committee (which may include a staff advisor) is responsible for developing an annual budget for the expenditure of funds collected through the student activities fee, consistent with student needs and interests. This budget is submitted to the administration and board for approval.*

6. *That assessment of student reactions to various activities programs is an ongoing process with the results employed in determining future areas of interest.*

e. Regulation to provide an optimal climate for social and academic development.

Guidelines: 5.6(1)e

The institution shall provide evidence of the following:

1. *That an institution maintains a policy regarding the confidentiality of student records in keeping with federal and state statutes.*

2. *That there is a system of registration that officially enrolls students for classes, permits the regulation of class size, and makes possible the collection of demographic data. The system is designed to permit data to be provided for local, state, and federal levels. The registration process should merge into a system of student records whereby a student's academic progress is updated each term and maintained in an orderly fashion.*

3. *That the permanent record is designed to make possible the production of an adequate transcript. This transcript should be modeled after the standards set out in "an adequate transcript guide" adopted by the American Association of Collegiate Registrars and Admissions Officers.*

4. *That academic standards are developed, clearly stated, and made available to all students. These standards define what is satisfactory performance and what levels will lead to probationary status or suspension because of unsatisfactory performance. Readmission procedures and policies are clearly stated.*

5. *That the institution adopts and implements policies and procedures which facilitate the internal transfer of students from one program to another.*

6. *That there are rules and regulations, in addition to civil statutes, indicating appropriate student conduct while participating in activities sponsored by the institution.*

f. Services that facilitate area school attendance through a program of financial assistance, and facilitate transition to further education or employment.

Guidelines: 5.6(1)f

The institution shall provide evidence of the following:

1. *That there are financial aids services available for disseminating financial aids information and for assisting students in completing all necessary financial aid forms. The responsibility for administering this service resides with one staff member who is given adequate time and personnel to organize and coordinate the financial aids program. The financial aids officer is knowledgeable of and uses forms for student benefit loans, scholarships, part-time jobs, budget management, solicitation of funds, securing of government grants, and appropriate record keeping procedures. The institution must have policies and procedures which permit the monitoring of loan repayment and assignment for collection if it becomes necessary.*

2. *That there is an active placement service coordinated through student services. One member of the student services staff is given time commensurate with responsibilities to organize and coordinate the program. The responsibilities include assistance in obtaining appropriate employment for graduates and other students terminating their institutional training, for providing prospective employees with placement information, and for the development and articulation of follow-up studies. Responsibilities include other activities, such as assisting in the development of job seeking skills, and securing of part-time jobs.*

3. *That materials and personal assistance are available for students who wish to transfer to other instutions.*

g. Organization that provides for continuing articulation, evaluation and improvement of the student services program.

Guidelines: 5.6(1)g

The institution shall provide evidence of the following:

1. *That the primary responsibility for supervision of student services resides in a designated administrator. The responsibilities of this individual include: (A) employing qualified staff members; (B) utilizing innovative approaches that strengthen services to students; (C) procuring adequate resources to carry out student services functions; (D) establishing a staff development program for the professional growth of staff; (E) evaluating staff objectives in relation to institutional purposes and objectives; (F) stimulating effective program coordination and intra/inter-departmental and inter-divisional communications.*

2. *That the institution is actively engaged in the studies of its students. The gathering, analysis, and use of data regarding areas such as attrition, student characteristics, placement, follow-up, and enrollment trends are available to appropriate institutional personnel, the state department of public instruction, and other approved*

agencies as requested for the purpose of aiding institutional and/or state-wide planning, research, and study. One member of the student services staff is given time commensurate with responsibilities to coordinate this activity (unless the duties reside with another person in which such responsiblities are so designated).

3. *That articulation of the student services program is emphasized through effective staff relations and the development of good lines of communication with industrial and commercial enterprises, schools, and other agencies and groups within the community.*

4. *That the evaluation of student services programs is an ongoing process with a formal evaluation on at least an annual basis. In evaluating the student services program, consideration is given to: (A) the purposes of the program; (B) the criteria by which the success of the program will be judged. (C) the stated objectives of the institution; and (D) application and interpretation of the evaluation result. In addition, each student services chief administrator establishes a procedure for performance evaluation of all personnel. This procedure, while perhaps different in criteria and instrumentation, is nevertheless consistent with other evaluation policies of the institution.*

5. *That provision is made to allow for professional discussion and study among student services staff members, including the utilization of consultants for special areas of interest and need. Opportunities are available for a systematic review of professional literature and interpretation of local research data. In addition, opportunities are provided for student services staff members to attend appropriate professional conferences, and/or other workshops or seminars.*

6. *That provision is made by the student services division to make available additional services including, but not limited to, a student health service, housing assistance, and aid in solving transportation problems of students.*

5.7(280A) Laboratories, shops, equipment and supplies. Laboratories, shops, equipment and supplies comparable with that used in the occupations for which instruction is offered shall be provided in accordance with the conditions of the most recent state plan for vocational education. Similarly, college parallel courses shall be supported in a manner comparable to those conditions which prevail in standard, regionally accredited colleges and universities in which students may wish to transfer college credits.

Guidelines: 5.7

1. *All laboratories, shops, and equipment are designed, constructed, and operated in a manner consistent with the Iowa occupational safety and health act.*

2. *The square feet per student provided in laboratories and shops reflect consideration of the recommendations in the publication "Area Community College-Area Vocational School Construction Guidelines".*

5.8(280A) Physical plant. The site, buildings and equipment of the area school shall be well maintained and in good repair. A consistent plan of systematic maintenance shall be in evidence. The physical plant shall be adequate in size and properly equipped for the program offered and shall conform to chapter 104A of the Code. All remodeling of existing facilities shall comply with the "American Standard Specifications for Making Building and Facilities Accessible to and Usable by the Physically Handicapped".

5.9(280A) Building and site approval.

5.9(1) Site size. All sites for area schools shall be approved by the state board of public instruction. The minimum size for an area school site shall be 80 acres for the first 100,000 in total population in the merged area plus an additional 10 acres for each additional 25,000 in population or major portion thereof. Provided, however, that the state board of public instruction may waive said requirements for good cause shown.

5.9(2) Building plans. All building plans and specifications for construction shall be submitted to the state board of public instruction for review and approval of educational adequacy.

Guidelines: 5.8

1. *The physical plant is designed, constructed and maintained in a manner consistent with the following:*

   Iowa Occupational Safety and Health Act
   State Fire Marshal Regulations
   State Health Department Regulations
   All state and/or federal energy conservation laws, guidelines, and acceptable architectural/engineering practices
   All state and/or federal environmental protection laws and/or guidelines
   American National Standard Specifications for making Buildings and Facilities accessible to and usable by the Physically Handicapped
   Local county and/or city laws and regulations
   Public Law 93-112, Section 504
   Iowa State Building Code

2. *The sites, buildings and equipment of the area school are maintained in a safe, healthful, and pleasing appearance conducive to the educational process simulating that of local successful business and industries.*

3. *The security of the physical plant is maintained through appropriate use of exterior lighting and a system that will safeguard the school. The landscaping plan should give credence to security.*

Guidelines: 5.9(1) and (2)

1. *Preliminary plans (prepared by a registered architect or engineer) are submitted 30 days prior to date of state board meeting at which approval is requested.*

2. *Construction documents (prepared by a registered architect or engineer) are submitted 20 days prior to date of state board meeting at which approval is requested unless major changes were made subsequent to preliminary plan approval, then 30 days are required.*

3. *Buildings that are purchased, created, or remodeled must be approved by the state board. In most cases, this is a two step process; preliminary and final approval of the plans for the building.*

5.9(3) Preliminary planning. Each merged area board shall present evidence of adequate planning along with the preliminary building plans and specifications. Preliminary planning includes tentative program approval, a master campus plan, written educational specifications, site plot showing location of proposed facilities, and existing facilities, elevations and floor plans, and specifications of materials.

5.9(4) Other governmental approval. After a tentative approval has been received from the state board of public instruction, evidence shall be submitted indicating the approval by the state fire marshal and by the state department of health, when required, before final approval will be made by the state board of public instruction.

5.9(5) Parking lots. All weather and adequately lighted parking lots of adequate size to accommodate the enrollment shall be included as part of the planned construction and shall include ramps on curbs to allow persons with mobility problems easy access to the building. Special parking spaces shall be provided for handicapped students.

5.9(6) Flexibility and expansion. Evidence shall be presented to show that flexibility and expansion of the proposed construction is possible.

5.9(7) Physically handicapped. The facilities planned shall be accessible to and functional for the physically handicapped and shall conform to chapter 104A of the Code.

5.9(8) Adequate facilities. All administrative facilities, classrooms, laboratories and related facilities shall be educationally adequate for the purpose for which they are designed.

Guideline: 5.9(3)

1. *Adequate planning is demonstrated through the submittal of: a master campus plan; written ed specs; site plan showing location of proposed and existing facilities, site utility system, parking, pedestrian and vehicular traffic flow, proposed uses by the community, area in square feet, square foot costs, total costs, source of revenue, and why the building is needed. This information should be submitted with the preliminary plans.*

Guideline: 5.9(4)

1. *Approval from all agencies having jurisdiction in the particular location is obtained and copies of the approvals are submitted to the DPI.*

Guideline: 5.9(5)

1. *Size of parking is determined by surveys conducted to determine number of autos on campus relative to full-time equivalent enrollment, headcount, or other meaningful parameters. The area should be lighted and accessible to the physically handicapped. Parking spaces for the handicapped should be at least 12 feet wide. Approximately an acre is required to park each 125 cars.*

Guideline: 5.9(6)

1. *Refer to Section III, part I of the publication, "Area Community College-Area Vocational School Construction Guidelines", page 9. The lighting and mechanical systems should be readily acceptable to change.*

Guideline: 5.9(7)

1. *Reference should be made to "American National Standard Specifications for Making Buildings and Facilities Accessible to and Usable by the Physically Handicapped," chapter 104A of the Code of Iowa, the Iowa State Building Code, and Public Law 93-112, Section 504.*

Guideline: 5.9(8)

1. *Refer to the publication, "Area Community College-Area Vocational School Construction Guidelines."*
2. *Education specifications for the necessary spaces should be written for each program to be housed in the structure.*

5.9(9) Air-Conditioning. All buildings may be air-conditioned, to accommodate year-round use of such facilities except for areas where air-conditioning is impractical.

5.9(10) Library or learning resource center. A library or learning resource center shall be planned as a part of the master campus plan and space made available for library or learning resource center services within the initial construction.

5.9(11) Student center. An area of the school plan shall be provided where students may gather informally and where food is available.

5.9(12) Nonreimbursable facilities. No facility intended primarily for events for which admission may be charged nor any facility specially designed for athletic or recreational activities other than physical education, shall be constructed with state appropriated funds.

5.10(280A) Approval procedures.

5.10(1) Procedures for first and second years of operation. Temporary approval of an area school for each of the first two years of operation shall be granted annually subject to approval by the state board of public instruction and the state board of regents upon certification by the state department of public instruction that said institution has followed prescribed procedures in getting started and that it gives promise of ultimate compliance with all standards contained herein.

During the second year of operation, the institution shall prepare a comprehensive self-study following the directions issued by the state department of public instruction.

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5.10(2) Procedures after second year of operation.

Guideline: 5.9(9)

1. *The conservation and use of energy are considered in the design of buildings and in the installation of air-handling systems. Emphasis should be placed on the recirculation of air, insulation, natural ventilation and lighting, and efficient heating and cooling systems.*

Guideline: 5.9(10)

1. *Refer to "Administrative Rules for Area Vocational Schools and Community Colleges," pages 18-22.*

Guideline: 5.9(11)

1. *This facility should be readily accessible to students, be of adequate size, and be aesthetically pleasing.*

Guideline: 5.9(12)

1. *Refer to Section 280.34, Code of Iowa, for the restrictions placed on certain funds.*

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a. During the third year of operation, the institution shall be vistied by a team of six or more evaluators equally representing the state board of public instruction and the state board of regents and chosen by the respective boards. The chairman of the team shall be selected by the state department of public instruction. The evaluators shall spend a minimum of two days at the institution visited.

b. The chairman of the evaluation team shall submit to the state board of public instruction and the state board of regents a report, together with the institution's self-study and pertinent supplementary materials. The report shall identify the institution's strengths and weaknesses on the basis of the state standards and shall provide a specific recommendation as to whether or not approval by the state board of public instruction and the state board of regents seems warranted. The superintendent of the institution shall have an opportunity to file supplementary statements or data. The state department of public instruction shall distribute copies of the report, the self-study any supplementary statements or data filed by the superintendent of the institution, and related materials to the members of the state board of public instruction and the state board of regents.

c. If, after the visit by the evaluation team, the institution is given full approval by the state board of public instruction and the state board of regents, its approval shall continue, ordinarily, for a period of at least ten years contingent upon evidence that the institution is making consistent efforts to strengthen the areas in which weaknesses were noted. To provide this evidence of progress, the institution shall submit by January 1, of each year, a report of what improvements have been made and what changes are planned for the next year. To supplement and verify this annual report, representatives of the state department of public instruction shall visit each institution at least one day each year. However, acting jointly, the state board of public instruction and the state board of regents have the discretionary authority to review the approval status of area schools and authorize such reports and evaluation visits as may be deemed necessary. On the basis of these reports and the visits of the evaluators, the state department of public instruction and the regent committee on educational relations acting

jointly, shall recommend to the state board of public instruction and the state board of regents whether or not an institution's approval should be continued or changed. At the termination of the approval period, representatives of the state department of public instruction and the state board of regents shall review the institution's strengths and weaknesses and authorize either another period of approval or a visit by an evaluation team. If an evaluation visit is authorized, it shall be preceded by a self-study.

d. If, after the visit by the evaluation team, the institution is granted provision approval by the state board of public instruction and the state board of regents, the institution shall be revisited annually as provided in 5.10(2), "c", and by an evluation team within three years after the last visit by an evaluation team to determine the extent to which the institution has made satisfactory progress in improving areas where weaknesses were noted.

On the basis of the evaluation team report, the state department of public instruction shall make a recommendation of approval status to the state board of public instruction and the state board of regents. The state board of public instruction and the state board of regents have the option of granting full approval, continue provisional approval, or denying approval.

"Provisional approval" shall mean that the institution's strengths are judged to be greater than the weaknesses and that there is a good possibility that the weaknesses can be corrected within three years or less.

5.11 (280A) Progress toward regional accreditation. Each area school that has not received accreditation by the regional association is expected to demonstrate that it is making annual progress toward meeting such accreditation.

5.12 (280A) Standards for area schools. All area schools are subject to the same standards with the exception that area vocational schools are not expected to offer a program equivalent to the first two years of baccalaureate college work including pre-professional education and provide the instructors, facilities and equipment for such college work.

APPENDIX A

Listed below is a cross reference to other chapters in the Code of Iowa referred to in chapters 280A and 286A. Page numbers indicate where these portions of the statutes may be found in the Code of Iowa, 1977 as amended.

Chapter 17A	Administrative Procedure Act	pp. 61-71
Chapter 39	Time of Election and Term of Office	pp. 210-212
Chapter 39-53	Elections and Officers	pp. 210-319
Section 43.17	Affidavit to Nomination Papers	p. 246
Section 47.2	County Commissioner of Elections	p. 266
Sections 49.3-49.6	Election Precincts through Power to Combine Townships and City Precincts	pp. 276-277
Section 49.53	Publication of Ballot and Notice	p. 285
Section 50.27	Declaration of Election	p. 298
Chapter 53	Absent Voters Law	pp. 312-319
Section 69.12	Officers Elected to fill Vacancies-Tensure	p. 353
Chapter 76	Maturity and Payment of Bonds	pp. 361-362
Chapter 258	Vocational Education	pp.1316-1319
Section 277.1	Regular Election	p. 1376
Section 277.20	Canvassing Returns	p. 1377
Section 277.28	Oath Required	p. 1378
Section 277.29	Vacancies	p. 1378
Chapter 279	Directors-Powers and Duties	pp.1380-1389
Section 279.9	Use of Tobacco	p. 1382
Chapter 291	President, Secretary, and Treasurer of Board	pp.1427-1429
Section 291.2	Bonds of Secretary and Treasurer	p. 1427

APPENDIX B

THE FOLLOWING COMMON MASTER LIST OF GRADE SYMBOLS AND DEFINITIONS IS USED BY MERGED AREA SCHOOLS.

A	-	EXCELLENT
B	-	ABOVE AVERAGE
C	-	AVERAGE
D	-	BELOW AVERAGE
F	-	FAILURE
I	-	INCOMPLETE
W	-	WITHDREW
Y	-	WITHDREW PASSING
Z	-	WITHDREW FAILING
X	-	REPEAT
N	-	AUDIT
P	-	PASSING
Q	-	NO CREDIT/NO PASS
R	-	REQUIRED - NO CREDIT
T	-	CREDIT GRANTED BY TESTING
E	-	EXCUSED WITHOUT CREDIT
L	-	CREDIT GRANTED BY VIRTUE OF PRIOR EDUCATION OR OCCUPATIONAL EXPERIENCE

APPENDIX C

A POLICY ON STUDENT RESIDENCY STATUS FOR THE PURPOSE OF ESTABLISHING APPROPRIATE TUITION AND FEE CHARGES WITHIN IOWA AREA SCHOOLS

Section 1.

General. A person who has been admitted to an Iowa Area School shall be classified as a resident or as a non-resident for admission, tuition, and fee purposes. A person classified as a resident shall pay resident tuition costs. A person classified as a non-resident shall pay non-resident tuition costs.

Section 2.

Determination of Residency Status. The residency status of a student shall be determined on the basis of his domicile. The word "domicile" shall denote a person's true and fixed home and place of habitation. It is the place where a person intends to remain, and to which the person expects to return when the person leaves without intending to establish a new domicile elsewhere. The burden of proof of domicile shall be upon the student. Some of the various types of evidence that may serve as proof of a student's domicile in Iowa are: year-round residence, ownership of property, registration for and voting in state general elections, filing a resident Iowa income tax return for the most recent calendar year, automobile registration, and rent receipts.

Section 3.

Residency of Minor Students. The domicile of a minor shall follow that of the parent with whom the minor resides except where emancipation of said minor can be proven. An unemancipated minor shall be classified as a resident if the parent or legal guardian has established a domicile within the State of Iowa. The word "parent" herein used shall include legal guardian or others in cases where the lawful custody of a minor has been awarded to persons other than actual parents.

A minor living with, being supported, and claimed as a dependent for tax purposes by a relative or a friend who is a resident of Iowa shall be granted resident status if the minor has lived with the relative or friend during the three years prior to high school graduation and has graduated from an Iowa high school.

The residency status of an emancipated minor shall be based upon the same qualifications established for a person having attained majority with the exception that age alone shall not prohibit the emancipated minor from meeting such qualification. The term "emancipated minor" shall mean a person who has not attained the age of eighteen years, and whose parents have entirely surrendered the right to the care, custody, and earnings of such person and who no longer are under any obligation to support or maintain such person.

Section 4.

Residency of Adult Students. A person who reaches the age of majority while his parents were residents of the state shall be classified as a resident. A person who is married under the age of eighteen shall be classified as a resident if the person's parents were residents of the state at the time such person was married and the person is not domiciled in another state. A person who has reached the age of majority shall be classified as a resident if the person has established a domicile within the State of Iowa at least ninety days prior to the opening day of the academic term for which the person enrolls.

Section 5.

Residency of Students Who Are Not Citizens of the United States. A person who is not a citizen of the United States may become eligible for classification as an Iowa resident for purposes of attendance at an area school provided that the person holds "permanent resident status" as classified by the Immigration and Naturalization Service, and the person can meet the criteria required to be classified as an Iowa resident in Section 2.

Section 6.

Residency of Federal Personnel and Dependents. A person who has moved into the State of Iowa as the result of military or civil orders from the federal government and the minor children of such a person are entitled to Iowa residency status.

Section 7.

Veterans Exemption. A military service veteran who was a resident of the State of Iowa prior to entering the service shall be classified as a resident if the veteran returns to Iowa upon separation from service and his separation papers are filed with the county recorder.

Section 8.

Reclassification of Residency Status. It is the responsibility of a student to request a reclassification of residency status. If a student is reclassified as a resident for tuition purposes, such classification shall be effective beginning with the next term for which the student enrolls. In no case shall reclassification to residency status be made retroactive for tuition and fee purposes, even though the student could have previously qualified for residency status had the student applied.

Section 9.

Appeal. The decision on the residency status of a student for admission, tuition, and fee purposes may be appealed to a review committee established by the area school. The finding of the review committee may be appealed to the area school's board of directors for a final decision.

PROCEDURES FOR THE IMPLEMENTATION OF THE UNIFORM RESIDENCY POLICY

The following guidelines shall be utilized for the purpose of determining the residency status of students (i.e., reclassification of non-resident students).

1. Students shall complete the appropriate "request for residency form" for classification as a resident of the State of Iowa, thereby establishing in-state tuition and fee charges (sample form on attached page).

2. Students shall submit the "request for residency form" to the appropriate school officials prior to registering for the academic term for which residency status is sought.

3. Students requesting residency status shall submit documentary evidence of an established domicile within the State of Iowa.*

   The student shall submit any three of the following:

   a. an Iowa drivers license
   b. an Iowa vehicle registration
   c. evidence of ownership of Iowa property
   d. an Iowa income tax return
   e. a voters registration card for the State of Iowa (by county)
   f. rent receipts for a habitation (house, apartment, etc.) in the State of Iowa (for 90 days prior to academic term for which residency status is sought).

4. Copies of the documentary evidence shall be attached to the "request for residency form".

5. Students will be notified as to the approval or denial of their request for residency status by the appropriate official prior to enrollment in the term for which residence status is sought.

6. The "request for residency form" and documentary evidence shall be filed in the student's permanent folder (registrar's file).

7. Notification of changes in residency status shall be made to the appropriate school official (action shall be taken to change computer records).

8. Students may appeal the denial of residency status to the standing residency review committee.

*Classification of residency status may be obtained by students who are not of majority age (at the time of application) through evidence submitted by the student's parent(s) or legal guardian(s).

REQUEST FOR RESIDENCY STATUS

Name: _____
(Last) (First) (Middle Initial)

Social Security Number: _____

Address: _____
(Street/No.) (City) (State)

Phone: _____

Date of Last Enrollment: _____ / _____ / _____
Day Month Year

I hereby state that I have established a permanent domicile in the State of Iowa and have resided in said domicile for at least ninety days. I also state that it is my intent to maintain a residence in the State of Iowa upon completion of my course of studies. In accordance, therefore, with proper procedures and submission of documented evidence of residency, I am requesting residency status classification for tuition and fee purposes.

_____
Signature of Applicant

- -

The student's application for residence status has been reviewed and the following action has been taken:

_____ request granted

_____ request denied

Reason for denial of request: _____

_____

_____
Signature of Official Title

_____ / _____ / _____
Mo. Day Year

- -

Supporting documents include: (required only if request is granted)

_____ evidence of 90 days in Iowa (required)

_____ type of documented evidence:
a. _____ rent receipts
b. _____ tax receipts, ownership of property
c. _____ voter registration
d. _____ Iowa income tax return
e. _____ Iowa vehicle registration
f. _____ Iowa drivers license
g. _____ other similar indicia

UNIVERSITY OF CALIF.
LOS ANGELES
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CLEARINGHOUSE FOR
JUNIOR COLLEGES